

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TX
FILED

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TRENT TAYLOR, TDCJ No:01691384

plaintiff,

§ CAUSE No:5:14-CV-149-C

DEPUTY CLERK

v.

ROBERT STEVENS, et al.,
defendants

§
§

PLAINTIFF'S
BRIEF IN OPPOSITION TO DEFEN-
DANTS MOTION FOR SUMMARY JU-
DGMENT

COVER SHEET

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

TRENT TAYLOR TDCJ No: 01691384) CAUSE No: 5:14-CV-149-C
plaintiff,

v.

ROBERT STEVENS, et al., PLAINTIFF'S BRIEF IN OPPOSITION
defendants,) TO DEFENDANTS MOTION FOR SUMMARY
JUDGEMENT
)

Now comes TRENT TAYLOR TDCJ No:01691384 who is the plaintiff in the above styled cause number, who is acting pro-se and moves that the honorable judge excepts this opposition to defendants motion for summary judgment., In support;

JURISDICTION

This court has jurisdiction and venue owing to the parties and law underlying the issues.

II
STATEMENT OF THE CASE

Plaintiff Taylor is an inmate in the Texas Department of Criminal Justice institutional Division (TDCJ). He was sent to the John Montford Psychiatric Unit (J.M.) after an accidental overdose see Document Entry #1 (DE#1). While at the JM unit Taylor was under the assumption that his psychiatric treatment was voluntary and his consent could be withdrawn at any time, during this time Taylor was forced to sleep four days naked in a fecal covered cell he was prevented from eating and drinking during this time, Taylor was also forced to sleep naked in raw sewage and forego using the restroom until urination became an involuntary function, which led to Taylor having to be catheterized. Taylor moved to discharge him-

self by filing five separate requests for discharge, Yet, Taylor was denied a hearing to compell treatment against state regulation. In which Taylor was unconstitutionally forced to receive psychiatric treatment. During this time Taylor was assaulted by an officer and denied medical treatment multiple times. Taylor is seeking monetary relief and injunctive relief.

III
STATEMENT OF UNDISPUTED FACTS

1. Plaintiff at the time of the alleged complaint was an inmate in TDCJ.
2. During the time of the alleged complaint all defendants were employed by TDCJ.
3. Plaintiff was transferred to the John Montford Psychiatric unit on September 6, 2013 after an overdose.

IV
PLAINTIFFS BRIEF IN OPPOSITION TO DEFENDANTS
MOTION FOR SUMMARY JUDGMENT

Although summary judgment is proper in a case where there is no genuine issue of material fact, this is not a case in which the court should grant summary judgment. see Fed.R.Civ.P.56(c); Celotex Corp. v. Catrett, 477 U.S. 317, 322, 106 S.Ct. 2548, 2552(1986) In support of his brief plaintiff relies on the following:

EXHIBIT A: PLAINTIFFS DECLARATION IN OPPOSITION TO DEFENDANTS MOTION FOR SUMMARY JUDGEMENT WITH SUPPORTING EXHIBITS.

EXHIBIT B: TRENT TAYLOR'S TEXAS DEPARTMENT OF CRIMINAL JUSTICE GRIVANCE RECORDS, TDCJ#01691384 WITH SUPPORTING BUSINESS RECORDS AFFIDAVIT (BATES STAMPED EX.B (TAYLOR##)).

EXHIBIT C: TRENT TAYLOR'S TEXAS DEPARTMENT OF CRIMINAL JUSTICE MEDICAL RECORDS, TDCJ#:01691384 WITH SUPPORTING BUSINESS RECORDS AFFIDAVIT (BATES STAMPED EX.C (TAYLOR##))

V

STATEMENT OF CONTESTED FACTS

1. Whether the plaintiff was forced to sleep fo four days in a feces covered cell.(see defendants motion for summary judgment (DMSJ) pg 15)
2. whether plaintiff suffered any type of deliberate indifference to his medical needs or the condittions of his cell(see DMSJ PG 14-15)
3. Whether Taylor recieved prompt adequate medical care for his inability to urinate. (see DMSJ at pg 14 refernced to EX.Bat2-4 and at 10)
4. Whether Taylor was ignored by officers and medical personell in recieving medical attention.(see DMSJ pg14 with REFERENCE to Ex.B)
5. Whether Plaintiff made complaints about the cell or needing medical aid.(see DMSJ AT pg 14 withreference to EX.B)
6. Whether Plaintiff was assaulted by defendant Olmstead.(see DMSJ at pg16 with reference to exhibit A.)
7. Whether Taylor suffered an injury from being assaulted by defendant Olmstead.(see DMSJ at pg 16 with reference to Ex.B at134 and 144,(which are medical records from a month befor the assault)).
8. Whether plaintiff Exhausted all required state remedies.(see DMSJ at pg 7 with refence to Ex.C at 157 (which is a classification review)).
9. Whether defendant Stevens implimented policies that failed to properly train and or supervise officers which led to constitutional violations.

VI
LEGAL ISSUES

- A. Whether plaintiff's claim for injunctive relief have standing.
- B. Whether Plaintiff fully exhausted his administrative remedies against defendants.
- C. Whether defendants are entitled to qualified immunity as to the claims made against them in their individual capacities.
- D. Whether Plaintiff's deliberate indifference claim overcomes defendants qualified immunity.
- E. Whether Defendants were deliberately indifferent to plaintiff's conditions of confinement and medical needs.
- F. Whether Defendant Olmstead used excessive force against Plaintiff
- G. Whether Defendant Stevens failed to properly train and or supervise officers which led to deliberate indifference to plaintiff's constitutional rights.

VII
SUMMARY JUDGMENT STANDARD

Summary judgment is to be granted if the record before the court shows "that there is no genuine issue as to any material fact and that the movant is entitled to a judgment as matter of law". Fed.R.Civ.P. Rule 56(c)(2) If there is no genuine factual issue, summary judgment does not violate the right to a jury trial, since the purpose of trial;s is only to decide factual issues. see Plaisance v. Phelps, 845 F.2d 107,108 (5th cir 1988) If the court finds that there is a genuine issue of material fact, then there will be a trial to determine the facts. A "material" fact is one that "might affect the outcome of the suit under the governing law"....Factual disputes that are irrelevant or unnecessary will not be counted. Anderson v. Liberty Lobby, INC., 477 U.S. 242,248 106 S.Ct.2505(1986)

A "Genuine" issue exists "if evidence is such that a reasonable jury could return a verdict for the non moving part" ID at 248

In determining whether there is a genuine issue of material fact, the court must view all facts and make all reasonable inferences in favor of the non moving party, Matsushita Electric Industrial Co.Ltd v. Zenith Radio Corp., 475 U.S. 574, 587 106 S.Ct.1348(1986); The non moving party cannot discharge it's burden by alleging mere legal conclusions or unsubstantiated assertions; Instead it must present affirmative evidence in order to demonstrate the existence of a genuine issue of material fact and defeat a motion for summary judgment supported by competent evidence Anderson, 477 at 249-250; Matsushita, at 587.

VIII ARGUMENT AND AUTHORITIES

WHETHER SUMMARY JUDGMENT SHOULD BE GRANTED ON PLAINTFF'S INJUNCTIVE RELIEF FOR LACK OF STANDING

The defendants maintain that a favorable decision for Offender Taylor still would not allow the defendants to redress Plaintiff's complained of injury since their authority is limited to their unit of assignment only. SEE DEFENDANTS MOTION FOR SUMMARY JUDGMENT (DMSJ) at page 4 They also state that plaintiff is no longer at the Jm unit thereby making his claim for injunctive relief moot ID at 5. Mootness is established only if "(1) it can be said with assurance that 'there is no reasonable expectation...' that the alleged violation will reoccur ... and (2) interim relief or events have completely and irrevocably eradicated the effects of the alleged violation." County of Los Angeles v. Davis, 440 U.S. 625, 631, 99 S.Ct. 1379.(1979)(citations omitted); accord, Parents Involved in Community Schools v. Seattle Sch.Dist No.1, 551 U.S. 701, 719, 127S.Ct.

Plaintiff taylor is still on the psychiatric case load as mentally ill. In fact at this exact time of filing Taylor is approved and waiting to be transferred to a program for the aggressively mentally ill offender (PAMIO) which is in Amarillo Texas, which is in the JM unit district. In fact this same unit (BILL CLEMENTS UNIT) has a hold over for the JM unit. So in saying if Taylor has a Psychiatric episode he will be transferred directly back to the JM unit, which is not a unit of assignment but a psychiatric hospital for TDCJ, in which inmates are shipped to for any psychotic episode as long as they are in that region. A plaintiff has standing to sue only if the defendants' conduct has caused her some actual injury or threatens to do so, and if a favorable court decision is likely to redress the injury. Sprint Communications Co., L.P. v. APCC Services, Inc., 128 U.S. 2531, 2535 (2008); Allen v. Wright, 468 U.S. 737, 751, 104 S.Ct. 3315 (1984). The Defendants cannot say absent this injunction the alleged violation will not reoccur, especially when there is a "virtual certainty" that the plaintiff will be returned to the JM unit. Therefore summary judgment should be denied for lack of standing for injunctive relief.

WHETHER PLAINTIFF FULLY EXHAUSTED HIS ADMINISTRATIVE REMEDIES TOWARDS DEFENDANTS

The defendants claim that plaintiff has failed to exhaust all administrative remedies against defendants in this summary judgment should be denied because plaintiff has in fact properly exhausted all required remedies (see PLAINTIFF'S DECLARATION IN OPPOSITION PARAGRAPHS 20 WHICH SHOWS A GRIEVANCE WAS WROTE FOR ME, ¶55 WHICH EXPLAINS EX.C AT TAYLOR 225 AN EMAIL SEEKING ASSISTANCE FOR ME TO WRITE A GRIEVANCE DUE TO PAPER RESTRICTIONS. ¶56 SHOWS i WAS REFUSED HELP IN WRITTING GRIEVANCES WHICH PREVENTED ME FROM WRITTING THEM FROM THE DATES OF 9-6-13/10-1-13 EXCEPT FOR TWO OCCASIONS IN WHICH

WAS ASSISTED IN WRITTING A GRIEVANCE ON THE B2-45 CELL COVERED IN FECES AND THE 9-12-13 D2-51 SECLUSION INCIDENT WHERE I NAMED NUMEROUS OFFICIALS INVOLVED IN THE INCIDENT. SEE ALSO ¶.69 WHICH LISTS EXHIBITS B AT TAYLOR 022-23, 131-134, 157-160, AND 192-195, WHICH ARE COPIES OF ALL OF TAYLORS GRIEVANCES SHOWING EXHAUSTION REQUIREMENTS WERE FULLY MET. The Supreme court has held that the exhaustion of administrative remedies requires "proper exhaustion," meaning that a prisoner must complete the administrative review process in accordance with the applicable rules, including deadlines, as a precondition in federal court. WOODFORD v. Ngo, 548 U.S. 81, 89 (2006).

In defendants MSJ pg 6 defendants state Taylors claims of defendants being deliberately indifferent to his medical needs, and conditions of confinement claims, and his excessive use of force claims were not properly exhausted except in the case of defendants Olmstead, and Defendant Riojas, This is grossly incorrect. SEE EX B AT TAYLOR 157-160 WHICH IS STEP 1 AND STEP2 OF GRIEVANCE #2014027417 WHICH LISTS DEFENDANTS, CORTEZ, HUNTER, DAVIDSON, AND WARDEN STEVENS AS VIOLATING MY EIGHTH AMENDMENT RIGHTS REGARDING CONDITIONS OF CONFINEMENT. SEE ALSO EXHIBIT B AT TAYLOR 022-23 WHICH IS A GRIEVANCE WROTE BY THE AUGI WHICH WAS WRITTEN FOR ME ON 9-12-13 BECAUSE I WAS NOT ALLOWED TO HAVE WRITTING UTENSILS (THIS GRIEVANCE WAS NOT TURNED IN OR HANDLED PROPERLY AND I WAS NOT INFORMED TILL AFTER THE DEADLINE YET THIS GRIEVANCE LISTED "SEVERAL OFFICERS" (NAMES UNKNOWN) AND SGT SWANEY AS VIOLATING MY RIGHTS TO THE LEGAL SYSTEM AND CONDITIONS OF CONFINEMENT/AND SHOWING DELIBERATE INDIFFERENCE TO MY HEALTH AND SAFETY. Miller v. Berkebile, 2008 wl 63552, *7-9 (N.D.Tex., Mar. 10, 2008) (unjustified refusal to process initial grievances made remedy unavailable). SEE ALSO EX B AT TAYLOR 192-195 WHICH IS A STEP

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1 AND STEP 2 OF GRIEVANCE #2014013418 WHICH PERTAINS TO CELL D2-51
IN WHICH OFFICIAL LISTED AS VIOLATING PLAINTIFF'S RIGHTS FOR DELIB-
ERATE INDIFFERENCE TO MEDICAL NEEDS/CONDITIONS OF CONFINEMENT AND
CAUSING A PHYSICAL INJURY TO TAYLOR, WERE CHEVIS PARKER, RAYMUNDO
MONTEZ, FRANCO ORTIZ, JOE MARTINEZ, ROBERT RIOJAS, CREASTOR HENDERSON,
AND ROBERT STEVENS. IN FURTHERENCE SEE ALSO EX.C AT TAYLOR332 WHI-
IS AN EMAIL SHOWING I WAS SEEKING ASSISTANCE IN COMPLYING BY TRYIN
TO GET A GRIEVANCE WROTE BECAUSEW MY TIME WAS ABOUT TO EXPIRE CONC-
ERNING THE CATHETER INCIDENT. TAYLOR HAS FULLY COMPLIED WITH ALL
EXHAUSTION REQUIREMENTS REQUIRED BY 42 U.S.C §1997(e)(a) THEREFOR
SUMMARY JUDGMENT ON THIS ISSUE SHOULD BE DENIED.

WHETHER DEFENDANTS ARE ENTITLED TO QUALIFIED IMMUNITY AS TO CLAIMS
AGAINST THEM IN THEIR INDIVIDUAL CAPACITIES

The defendants state they are entitled to qualified immunity, which the plaintiff fails to overcome. see DMSJ pg 7 this incorecct; Qualified immunity protects officials from damage liability in federal civil rights cases unless they violate "clearly established statutory or constitutional rights of which a reasonable person would have known. Harlow v. Fitzgerald, 457 U.S. 800, 817-18, 102 S.Ct. 2727(1982) The question has also been stated as "whether a reasonable officer could have believed [his actions] to be lawful, inlight of clearly established law and the information the [defendant] possesed. Anderson v. Creighton, 483 U.S. 635, 641, 107 S.Ct. 3034(1987)

When an official pleads the defense of qualified immunity, the summary judgment burden of proof is altered. Gates v. Texas Dep't of protective and Regulatory Servs., 537 F.3d 404, 419(5th cir.2008). Once the official pleads his or her good faith, the burden shifts to the plaintiff to establish that the official's alleged wrongfull conduct violated clearly established law. Michalik v. Hermann, 422 F.3d 252, 262 (5th cir.2005). The plaintiff must now demonstrate ge-

nuine issues of material fact regarding the reasonablebness of the official's conduct. Id. In inorder to over come defendants entitlement to qualified immunity, the plaintiff must show that the defendants committed a constitutional violation under current law, and defendants actions were objectively unreasonable in light of clearly established law. Atteburty v. Nocona Gen.Hosp., 430 F.3d 245, 253 (5th cir.2005).

The plaintiff has made constitutional allegations against defendants and their actions were objectively unreasonable in light of the law that was clearly established at the time, as will be demonstrated in the arguments below. Which show defendants are not entitled to qualified immunity.

WHETHER PLAINTIFFS DELIBERATE INDIFFERENCE CLAIM OVERCOMES DEFENDANTS' QUALIFIED IMMUNITY

Plaintff's claim of deliberate indifference should defeat defendants' entitlement to qualified immunity

CONDITIONS OF CONFINEMENT

The Eighth Amendment, which forbids "CRUEL AND UNUSUAL PUNISHMENT", U.S. Const., Amend. VIII governs the treatm,ent of convicted prisoner. In an Eighth Amendment case, you must must establish both an "objective component" and a "subjective component". Farmer v. Brennan, 511 U.S. 825, 834, 114 S.Ct. 1970 (1994); Wilson v. Seiter, 501 U.S. 294, 298, 111 S.Ct. 2321 (1991). Prison conditions that are "restrictive and even harsh are part of the penalties that criminal offenders pay for their crimes against society. Rhodes V. Chapman, 452 U.S. 337, 347, 101 S.Ct. 2392 (1981). Conditions do not violate the EIGHTH Amendment unless they amount to "the unnecessary and wanton infliction of pain". Rhodes, 452 U.S. at 347; Wilson 501 U.S. at 297. The Supreme Court has listed as basic human needs "food, clothing, shelter, medical care and reasonable safety. Helling v. Mckinney, 509 U.S.

25,32, 113 S.Ct.2475 (1993) (citing Deshaney v. Winnebago County Dep't of Social Services, 489 U.S. 189,199-200,109S.Ct.998(1989)).

The defendants Cortez, Hunter, and Davidson forced plaintiff to go into a cell that was covered in massive amounts of fecal matter. The cell was so unhygienic Taylor was forced to stay on top of his bunk, he was not able to eat for fear of contamination, there was a giant swastika drawn on the wall in fecal matter, the water faucet was packed full of it and it was all over the ceiling. Taylor was forced to stay in this cell for 3½ - 4 days. Frequent exposure to the waste of others can certainly present health hazards that constitute a serious risk of substantial harm. Gates v. Cook, 376 F.3d 323, 341 (5th Cir 2004); see also, e.g., Despain v. Uphoff, 264 F.3d 965, 975 (10th Cir 2001) (exposure to human waste "evokes both the health concerns emphasized in Farmer and the more general standards of dignity embodied in the Eighth Amendment").

These defendants knew of the conditions of the cell, yet even after commenting on the condition and making jokes about the time Taylor would spend in the cell they still left me in there (SEE DE#1). The court has held that unsafe conditions that "pose an unreasonable risk of serious damage to [a prisoner's] future health" may violate the Eighth Amendment... Helling, 509 U.S. at 33 The defendants cite the ruling in Davis v. Scott, 157 F.3d 1003, 1006 (5th Cir 1998) PG 13 DMSJ, The courts found no Eighth Amendment violation because in Davis he was given cleaning supplies that is not the case in this incident. Taylor has pointed to several exhibits that show Taylor continuously made complaints about the cell being covered in fecal matter SEE PLAINTIFF'S DECLARATION IN OPPOSITION ¶40, AND ¶48 WHICH LIST INCIDENTS AND EXHIBITS SHOWING i COMPLAINED SEE EX.C AT TAYLOR342 AND EX.C AT TAYLOR384.

qUALIFIED IMMUNITY FOR THESE DEFENDANTS should be denied as to whether these conditions violated clearly "established law" it has long been established that the Eighth Amendment "forbids confinement under conditions that lead to painful and tortious diseases with no penological purpose". see Daigre v. Maggio, 719 F.2d, 1310, 1312 (5th cir. 1983)(citing Estelle v. Gamble, 429 U.S. 97, 102, 97 S.Ct. 285, 290, (1978)).

As to Defendants Riojas ,Henderson,steven,Martinez these defendants knew that Taylor was housed in a seclusion cell against policy they knew that Taylor had no toilet or working plumbing and solely relied on them as correctional officers to provide him with the things that he could not do without help such as use the restroom and to provide him with sanitary living conditions. Taylor had not only been confined against his will but was now confined under condition that posed a serious risk to his health. SEE PLAINTIFFS OPPOSITION BRIEF DECLERATION #121-35 SEE ALSO EXHIBITS C AT TAYLOR 391, 389 SEE ALSO ORIGINAL EXHIBIT (B) SUBMITTED WIT DE#1."Special Relationship" exist between prison inmates and the Texas Department of Criminal Justice and it's employees,giving rise to duty on the part of TDCJ to exercise reasonable care to protect inmates from harm when that harm is reasonably foreseeable. Salazar v. Collins, 255 S.W.3d 191, rehearing overruled(Tex 2008).

The question under the Eighth Amendment is whether prison officials, acting with deliberate indifference, exposed a prisoner to a sufficiently substantial "risk of serious damage to his future health." Helling, 509 U.S. at 35, 113 S.Ct. 2475. These officials acted in regards to a code of silence towards recklessness and constitutional violations which is prevalent among JM unit officials. Claimant need not show that a prison official acted or failed to act ~~deliberately~~

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ving that harm actually would befall an inmate, it is enough that the official acted or failed to act despite his knowledge of a substantial risk of serious harm. Cf. Toccia, Whartons Criminal Law, §27, pg 141 (14th ed 1978).

Taylor was housed in wastes of others and forced to sleep naked in raw sewage/human waste. SEE PLAINTIFFS DECL. IN OPPOSITION WITH EXHIBITS # 26-32. This court has held time and time again that filthy cell conditions may constitute an Eighth Amendment violation. see Harper v. Showers, 174 F.3d 716, 720 (5th cir 1999); Gates v. Cook, 376 F.3d 323, 338 (5th cir 2004); McCord v. Maggio, 927 F.2d 844, 847 (5th cir 1991) (cell flooded with sewage and foul water was a "clear violation of the Eighth Amendment"). as to qualified immunity for these defendants it should be denied. The law in effect at the time of the offense was well established, see Harlow, 457 U.S. at 818, 102 S.Ct. at 2738.

MEDICAL NEEDS

The defendants state that they should be granted qualified immunity in regards to Taylors claims pertaining to deliberate indifference to his serious medical needs. Taylors claim of deliberate indifference to his medical needs does in fact entitle him the right to overcome the defendants entitlement to qualified immunity.

Deliberate indifference to a prisoners medical needs that are serious constitute unnecessary and wanton infliction of pain proscribed by the Eighth Amendment, whether the indifference is manifested by prison doctors in response to prison needs or by prison guards in intentionally denying or delaying access to medical care or intentionally interfering with treatment once prescribed; regardless of how evidenced deliberate indifference to prisoner's serious illness or injuries states a cause of action under civil rights statute

Taylor was experiencing severe chest pains in which he told the defendants Riojas, Martinez, Ortiz who failed to get medical attention SEE DECLARATION IN OPPOSITION #22-25 SEE ALSO EX.C AT TAYLOR 391 DEFENDANT HENDERSON DAILY CARE NOTES. Defendant Henderson even said she'd heard me banging for over an hour complaining, SEE ALSO EX.C AT TAYLOR535 . I was housed in a seclusion cell in which officers/defendants where by policy to check on me every 15 minutes SEE ORIGIANL EXHIBIT (B) SUBMITTED WITH DE#1 AT PROCEE-DURE IV.

A prisoner can demonstrate an Eighth Amendment violation by showing that a prison official refused to treat him, ignored his complaints, intentionally treated him incorrectly, or engaged in any other similar conduct that would clearly evince a wanton disregard for any serious medical needs. Domino v. TDCJ, 239 F.3d 752, 756 (5th cir 2001). These defendants intentionally ignored my complaints for over two hours, in furtherence defendant Henderson was advised by an R.N. who was the charge nurse to bring me to the E.R. due to my chest pains but this advisory was denied due to security being unable to escort. SEE EX.C AT TAYLOR 535 WHICH IS A VERBAL ORDER NOTE FROM AN R.N. ADVISING L.V.N HENDERSON. Taylors allegations have entitled him to overcome defendants qualified immunity pertaining to this incident.

Defendants MSJ on pg 14 defendants argue that Taylor was seen multiple times for his inability to go urinate, this infact is incorrect, the defendants also state that Taylor provides no evidence that the treatment he received was insufficient or deliberately incorrect. Id. Taylor has never stated that the catheterization was inadequately done. However Taylor did state that the display of him

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being exposed naked and handcuffed while undergoing the treatment
that allowed non medical personell and opposite gender to wathch
the treatment take place was grossly inadequate. SEE DECL IN OPP
AT ¶45. Also Taylor claims that the delay in medical treatment is
is what caused Taylor to have to be catheterized. SEE DECL IN OPP
AT ¶ 42. Taylor had informed Defendant Orr at around 1030 that mo-
rning that he needed to see a doctor but Defendant Orr knowing that
in seclusion paper and pens are not allowed still told Taylor to
fill out a sick call request on the following Monday. "the mere
delay of medical care for a prisoner can constitute an Eighth Ame-
ndment violation, but only if there has been deliberate indifference
that resultes in substatial harm. Mendoza v. Lynaugh, 989 F.2d
191,195 (5th cir 1993). A plaintiff needs to indicate that his
physical condition during the time of delay warranted prompter med-
ical attention or that his condition wholly debilitated him. Bre-
akiron v. Neal, 166 F. supp 2d 1110,1114 (N.D. Tex 2001).

Taylor was forced to suffer all day untill the point of having
to be cathetyerized which was the worst feeling Taylor had ever
felt. SEE DECL IN OPP ¶.46 AND EX.C AT TAYLOR 365 AND AT 206-207.
Taylor was denied and or delayed medical=treatment that did result
in substancial harm, defendant Orr's statement of "I was giving you
our normal response to someone in seclusion" shows that there is a
policy of denying inmates adequate and prompt medical attention.
If there is a reckless disregard for human lkife and safety preval-
ent among citys... which threatens the life and security of those
whom they encounter, and if that recklessness is attributable to
the instruction or example or acceptance of the policy maker the
policy its self is repudation of constitutional rights. Grandstaff
v. city of Borger, 767 F.2d at 170. This defendant is not entitled
to qualified immunity.

WHETHER DEFENDANT OLMSTEAD USED EXCESSIVE FORCE AGAINST PLAINTIFF TAYLOR.

The defendants maintain that Taylor has not established a claim of excessive force that overcomes her entitlement to qualified immunity, this is incorrect and will be proven below.

Convicted prisoners are protected from the misuse of force by the Cruel and Unusual Punishments Clause of the Eighth Amendment. The Supreme court has held that "whenever prison officials stand accused of using excessive physical force in violation of the cruel and unusual punishment clause, the core judicial inquiry is. . .whether force was applied in a good faith-effort to maintain or restore discipline, or maliciously or sadistically used to cause harm." Hudson v. McMillian, 503 U.S. 1, 6-7, 112 S.Ct. 995 (1992); accord, Wilkins v. Gaddy, U.S. ___, 130 S.Ct. 1175, 1178 (2010).

In deciding whether force was used "maliciously or sadistically," the extent of the injury inflicted is "one factor," and "[t]he absence of serious injury is therefore relevant to the Eighth Amendment inquiry, but does not end it". Hudson, 503 U.S. at 7; accord, Wilkins, 130 S.Ct. at 1178-79. Other factors the court may said may be relevant are "the need for application of force, the relationship between the need and the amount of force used, the threat 'reasonably perceived by the responsible officials,' and 'any efforts made to temper the severity of a forcefull response.'" Hudson, 503 U.S. at 7 (quoting Whitley v. Alberts, 475 U.S. 312, 320-21, 106 S.Ct. 1078 (1986)).

The "malicious and sadistic" standard applies to the actions of staff who are directly using force. Hudson, 503 U.S. at 7. Taylor alleges that he had been arguing with defendant Olimstead when she intentionally ran a bean slot bar through the food port slot hit-

ting him in the testicle with the sole intention of causing harm. SEE EXHIBIT A DECL. IN OPPO AT ¶61, SEE ALSO EX.B AT TAYLOR 532-33

The defendants state in their MSJ at pg16 that medical found no injuries they cite to MSJ Ex.B at 134, and 144 to substantiate their allegations. Exhibit B at 134 is a seclusion note from 9-18-13, this exhibit has nothing to do with the assault that occurred on 10-14-13 also Ex. B at 144 is a seclusion note from 9-16-13 the defendants also cite to EX.B at 133 to say the Office of the INSPECTOR General found no evidence of Tylors allegations being true. This Exhibit they cite is actually a discharge request from Taylor dating 9-19-13. Contrary to what the defendants say Taylor did suffer a serious injury to his testicles, Yet, the nurse did in her report say she visualized no apparent injury SEE EXHIBIT B. AT TAYLOR 153 WHICH IS AN INJURY REPORT IN WHICH WAS CHECKED MINOR INJURY BUT SHOWS THAT AT A LATER TIME IT WAS CROSSED OUT TO SHOW NO APPARENT INJURY. This nurse did note an injury in which she prescribed ice pack for swelling and ibu profin for 72 hours for pain SEE EX.C AT 532-33. ONCE THE NURSE LEARNED IT WAS A STAFF assault she left with defendant riojas and came back in and said we were done SEE EX.A DECL. IN OPP AT ¶ 67. Sanders-el v. Spielman 38 F.Supp 2d 438,439 n.1 (D.Md.1999) ("it would seem that the law must entertain the possibility that health care providers in a prison setting might bring certain bias to their occupation"); see also Green v. Branson, 108 F.3d 1296,1304 (10th cir 1997) (noting claim of falsification of medical records after a use of force)

The defendants claim that this use of force never happened and they cite in their MSJ pg 16 that there is no record of a use of force report ever being made for Taylor with reference to MSJ EX.A

the defendants are right in the sole aspect of there not being a use of force report being made, but they use this single exhibit to lead the courts astray from the fact that (1) A use of force was done, (2) the use of force was purposely swept under the rug, and (3) the plaintiff did everything necessary to bring to the light the use of force occurred and was purposely being covered up. SEE EX.A DECL. IN OPP AT #63-69 After leaving medical Taylor personally asked defendant riojas to take pictures of his injuries due to the fact his right testicle was grossly disfigured in which he refused SEE EX.A DECL. IN OPP AT #68 SEE ALSO ORIGINAL EXHIBIT (E) WHICH IS SUBMITTED WITH DE#1 IT IS TDCJ POLICY AD.03.47 WHICH STATES PICTURES WILL BE TAKEN AFTER ANY USE OF FORCE OR INJURY INCURRED BY A OFFENDER OR EMPLOYEE. SEE ALSO EX.B AT TAYLOR 138 WHICH IS A GRIEVANCE WORK SHEET CHECKED OFF ON AS A USE OF FORCE, BUT IF WE REFER TO EX.B AT TAYLOR156 WHICH IS A GRIEVANCE WORK SHEET SIGNED OFF ON BY OIG SAYING INSUFFICIENT EVIDENCE TO OPEN AN INVESTIGATION, BUT THIS PAPER WORK WAS IMPROPERLY FILED OUT WITHOUT EVER BEING CHECKED AS AN UNREPORTED USE OF FORCE. Plaintiff provides multiple exhibits to show the cover up he also had a witness statement of an offender who witnessed the assault. SEE EX.B AT 145. Gallardo v. DiCarlo, 203 F.Supp 2d 1160, 1166 (C.D.Cal 2002) (...refusal to investigate complaints, encouragement of excessive force by inaction and cover-up, etc, stated a claim against her).

Taylor suffered a substantial injury due to this assault, the defendants tried to cover it up Plaintiff has provided pertinent exhibits to show these facts therefore defendant Olmstead's entitlement to qualified immunity should be denied.

WHETHER DEFENDANT STEVENS FAILED TO PROPERLY TRAIN OR SUPERVISE WHICH LED TO DELIBERATE INDIFFERENCE TO PLAINTIFFS CONSTITUTIONAL RIGHTS.

ALTHOUGH A SUPERVISOR may not be held liable for the actions of his subordinates, supervisor liability may exists if the supervisor implemented a policy or allowed a wide spread practice that was so common that it constituted a policy, or if he failed to properly train or supervise subordinates and there is a causal link between such failure and the violation amounts to deliberate indifference, Johnson v. Moore, 958 F.2d 92,94(5th cir 1992). Warden stevens allowed there to be a wide spread policy of denying inmate prompt medical attention to serious medical needs in or out of seclusion, SEE EX.A DECL. IN OPP AT #43 STATING "i GAVE YOU OUR NORMAL RESPONSE" Defendant stevens also allowed prisoners to be confined under inhumane conditions of confinement and failed to adequately investigate use of forces, resulting in harm. Thompson v. Upshur Co. Texas, 245 F.3d 447,459 (5th cir 2001) ("A sheriff not personally involved in the acts that deprived the plaintiff of his constitutional rights is liable under §1983 if;1) the sheriff failed to train or supervise the officers involved;2)there is a causal connection between the failure to supervise or train and the alleged violation of the plaintiff's rights;and3) the failure to train or supervise constituted deliberate indifference to the plaintiffs constitutional rights...") qualified immunity should be denied for this defendant.

IX
CONCLUSION AND PRAYER

Plaintiff Taylor prays the court denies summary judgment in all aspects to the defendants and excepts this brief in opposition.

OCTOBER 19, 2016

RESPECTFULLY SUBMITTED

PRO-SE


TRENT TAYLOR TDCJ No;01691384
899 FM 632 KENEDY TX, 78119

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

TRENT TAYLOR

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TDCJ NO. 0169134,

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PLAINTIFF,

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V.

CAUSE NO: 5:14-CV-149-C

ROBERT STEVENS, et al.,

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DEFENDANTS . . .

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EXHIBIT A

PLAINTIFF'S DECLARATION IN OPPOSITION TO DEFENDANTS MSJ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

TRENT TAYLOR TDCJ No: 01691384

CAUSE No. 5:14-cv-149-C

plaintiff,)

v.

ROBERT STEVENS, et al . ,

defendants, .)

PLAINTIFFS DECLARATION IN
OPPOSITION TO DEFENDANTS
MOTION FOR SUMMARY JUDGEMENT
WITH SUPPORTING EXHIBITS

DECLARATION

1. I am the plaintiff in the above-entitled case. I make this declaration in opposition to defendants motion for summary judgement on all my claims concerning, excessive use of force, deliberate indifference to plaintiff's health and safety concerning the denial/delay of medical treatment and conditions of confinement, whether plaintiff's claims for injunctive relief have standing, whether the defendants are entitled to qualified immunity in their individual capacities, and whether Taylor fully exhausted all state remedies.

2. The defendants motion for summary judgement states on page ~~*****~~ seven that the plaintiff failed to timely exhaust all state remedies, in which they rely on Exhibit C

3. The defendants Motion for Summary Judgement (MSJ) claim they are entitled to qualified immunity as to plaintiffs medical claims pg 14, they claim that there was no evidence plaintiff suffered from any type of deliberate indifference to his medical needs they reference to Exhibit B at 71-122, 127-184 and 207-212 claiming plaintiff received around the clock care, and in those visits plaintiff never made a complaint about the cell or needing medical aid.

4. The defendants MSJ Pg 16 claims there is no evidence that defendant instead used any force against offender Taylor. they refer to Exhibit A saying there is no record of use of force report ever being made for offender Taylor the defendants also cite Exhibit B at 134 and 144 (Exhibit B at 134 is a seclusion note from 9-18-13

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Exhibit B at 144 is a seclusion note form 9-16-13 THE USE OF FORCE
INCIDENT TOOK PLACE ON 10/14/13) saying medical found no injury to
Taaylor. They also refer to Exhibit B at 133(which is a discharge
requests from plaintiff taylor) to say the Inspector General never
found evidence of plaintiff's allegation being true, Also in Exhibit
it C there is no evidence that Taylor ever suffered an injury to
his testicles.

5. The defendants claim in summary that that they rely on EXHIBIT
A-F which are copies of plaintiff's TDCJ records to say they are
entitled to summary judgement. These same Exhibits used by the de-
fendants provide evidence that show there are multiple exhibits
that show there are genuine issues of material facts to be resolve-
ed, that show the defendants are not entitled to summary judgement
nt. These issues are identified in the accompanying statement of
disputed factual issue. The facts are set out in this declaration.

6. On Sep 6,2013 I was placed in cell B2-45 by defendants cortez,
hunter, and Davidson, along with unknown cameera operator. The cell
was covered in fecal matter, on the walls ceiling back windows, and
the drinking faucet was packed with fecal matter. [see EXHIBIT C
AT TAYLOR 528-531, THESE EXHIBITS SHOW TAYLOR WAS IN CELL B2-45 FR-
OM 9-6-13 / 9-9-13.]

7. On Sep 7,2013 around 10am I informed officer Jennifer mares of
the cell condition, she refused to get help. [SEE EXHIBIT C AT TAYL-
OR 530 WHICH SHOWS J.MARES WORKED B2-4ROW THAT DAY].

8. On Sep 8,2013 I informed correctional officer Jane Doe#1 of
the cell condition, she refused to help. [SEE EXHIBIT C AT TAYLOR
529 WHICH PROVIDES A LIST OF ALL OFFICERS THAT WORKED B2-4ROW THAT
MORNING OF 9-8-13.]

9. On Sep 9,2013 I informed officer Loretta Young of the cell
conditions and asked for an investigation. [SEE EXHIBIT C AT TAYLOR 530 WHICH PROVIDES A LIST OF ALL OFFICERS THAT WORKED B2-4ROW THAT MORNING OF 9-8-13.]

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condition and asked for some water to drink since my faucet was
packed with fecal matter. she responded "you should have went to
the shower to drink water". [SEE EXHIBIT C AT TAYLOR 528 WHICH SHOW
OFFICER YOUNG WORKED B2 4ROW THAT MORNING]

10. On Sep 9, 2013 at around 1530 i was escorted to the dayroom to
doctor McDonald in which i informed him of my condition and me wa-
nting to write a grievance. [SEE DOCUMENT ENTRY #1 (DE #1)]

11. On Sep 9, 13 in the P.m. I informed officer Maria reyna of the
cell condition in which she denied to help. [SEE EXHIBIT C AT TAYL-
OR 528 WHICH SHOWS MARIA REYNA WORKED ON B2-4ROW THAT EVENING].

12. On Sep 10, 2013 I was moved to b2-35 cell. [SEE DE#1]

13. ON Sep 11, 2013 I was moved back to B2-45 once at the cell i
showed the fecal matter to the officers and refused to go in, I was
taken back to B2-35 cell. [SEE DE#1].

14. On Sep 11, 2013 Defendant Shane Swaney came to my cell to speak
with me about refusing cell B2-45 he stated "there is shit in all
these cells from years of psych patients" he then went to contact
treatment team supervisor Shawn Vallance concerning the fecal mat-
ter. He then came back and stated "he had to put me in that cell and
if I didn't want to go into that cell I knew what I had to say (he
was refereing to me saying I was suicidal to go to seclusion). I
stated I would do what is necessary to not go into that cell so for
the record I am suicidal. [SEE EXHIBIT C AT TAYLOR 408 WHICH IS A
SECLUSION NOTE FROM L.V.N JONES STATING ONLY UPON LEARNING I WAS
TO MOVE BACK TO CELL B2-45 I WAS SUICIDAL].

15. On 9-11-13 I was escorte dfrom b2-35 to D2-51 at 1422 at which
time I told nurse Henderson i was not suicidal. Defendant Swaney
put me in the cell and said "I hope you f***ing freeze" [SEE EX C AT
TAYLOR 407 SECLUSION NOTE BY NURSE HENDERSON SHOWING I STATED I WA
WAS NOT SUICIDAL]

Ex.A

16. 9-11-13 AT 1445 nurse Wellendorf came to my cell to talk to me about being in seclusion, I stated "I was not suicidal but it was a housing issue as to why I was in seclusion, [SEE EX C AT TAYLOR 406 SECLUSION RESTRAIN NOTICE SHOWING I STATED I WAS HAVING HOUSING ISSUES].

17. On 9-11-13 The seclusion cell I was in was filthy with a strong ammonia type smell emitting from the drain. I voiced this complaint with officer Ermma Parra who stated " I am just doing my job. [SEE DE#1].

18. On 9-11-13 R.N Marion Harmes came to D2-51 to ask about me being suicidal, I stated to her "I was not suicidal all i did was refuse housing [SEE EX C AT TAYLOR 399 A SECLUSION NOTATION FROM RN HARMES SHOWING I COMPLAINED ABOUT REFUSING HOUSING THAT WAS WHY I WAS IN SECLUSION].

19. On 9-12-13 at about 12:47 M.D. Priya Khandheria came cell side and took me off of seclusion suicide watch [SEE EX C AT TAYLOR 392 WHICH IS A PSYCHIATRIC FOLLOWUP ORDER TAKING TAYLOR OFF OF SECLUSION AND ORDERING HIM TO A REGULAR CELL.][SEE ALSO ORIGINAL EXHIBIT (B)(OE()) SUBMITTED WITH DE#1 WHICH IS CORRECTIONAL MANAGED HEALTH CARE POLICY I-66.3 PSYCHIATRIC INPATIENT SECLUSION STATES SECLUSION IS NOT EMPLOYED AS A PUNISHMENT OR AS A CONVIENIENCE FOR STAFF, ALSO PROCEDURE 3 STATES SECLUSION MUST END AS SOON AS THE DISCHARGE CRITERIA IS MET].

20. On 9-12-13 about 1400 correctional officer sinclair came cell side to write a grievance for me pertaining to cell b2-45 (while in seclusion I was not allowed paper or pens) [SEE EX B AT 22-23 GRIEVANCE #2014014582 WHICH WAS WROTE BY OFFICER SINCLAIR THIS GRIEVANCE STATED ABOUT ALL THE INHUMANE CONDITIONS OF CELL B2-45 AND OFFICERSWANEY FORCING ME TO SAY I WANT TO HURT MYSELF. THIS GRIEVA-

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NGE WAS WROTE ON 9-12-13 BUT WAS NOT ACCEPTED UNTIL 9-24-13 AT WHICH TIME IT WAS DENIED FOR MORE OF 1 IN EVERY 7 DAYS. THIS GRIEVANCE WAS THEN LOST, IT WAS NOT RETURNED TO ME BECAUSE I WAS IN THE SUICIDE PREVENTION PROGRAM ON PPER AND PEN RESTRICTIONS, IN WHICH I ALSO WAS NOT INFORMED OF THIS DENIAL UNTIL AFTER MY GRIEVA-
TIME HAD EXPIRED].

21. On 9-12-13 about 1800 correctional officer Chevis Parker came cell side to do her rounds, i asked her for a bathroom break, she said she would tell the male officers.[SEE EX C AT TAYLOR 526 SHOW THAT OFFICER PARKER SIGNED OFF ON TAYLORS 15 MINUTE CHECK LOG FROM 1800-2345][SEE ALSO DE#1]

22. ON 9-12-13 ABOUT 1900 nURSE CREASTOR HENDERSON came cell side in which I asked her for a restroom break she stated she would tell the officers and left, at this time i was extremely cold and tried to warm up by curling in a ball on the floor, I also began having chest pains and trouble breathing so i began knocking on the door.
[SEE DE#1]

23. On 9-12-13 about 1930 defendant Joe Martinez came cell side and told me to pee in the drain[SEE OE(A) SUBMITED WITH DE#1 WHICH IS A REPLICA FLOOR DRAIN OF SECLUSION (DRAWING)]. I stated i would not because I had to sleep in there and the stopped up drain is not a toilet, I also informed him I was having chest pains in which he responded "he didn't care and for me to deal with it"[SEE DE#1].

24. On 9-12-13 defendant Franco Ortiz came to my cell, i asked him for a restroom break and if i could see a nurse he stated "we aint pulling you out use the drain like everyone else.[SEE DE#1].

25. On 9-12-13 after 1900 defendant Robert Riojas came cell side and asked why am I banging on his door, I stated" i'm having chest pains and I need to use the restroom really bad.defendant Riojas

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stated for me to just piss in the drain and I could see the nu-
rse later. I told him I would not do that and that the floor drain
was stopped up. He began to mock me and stated "if I behave in a few
hours he will see what he can do. [SEE DE #1 ALSO OE(B) SUBMIT-
TED WITH DE #1 PROCEDURE V OF THE CMHC POLICY I-66.3 PATIENT IN
SECLUSION MUST HAVE ACCESS TO DAILY BATHING AND NECESSARY BATHROOM
PRIVILEGES].

26. On 9-12-13 after 2000 the volume of urine made my bladder so intentionally painfull urination became an involuntary function, the pain became so intense and excrutiating I doubled over and began peeing on myself, i tried to get it in the drain but, due to being stopped up it mixed with the sewage in the drain and ran out all over my feet. I knew I would not be able to stand all night so I got on my hands and knees and tried to scoop the pee under the door away from the area of the floor which i slept naked. Yet, this tactic did not work [SEE DE#1].

27. ON 9-12-13 i HAD BEEN BANGING ON THE DOOR FOR OVER TWO hours trying to get help, Nurse Henderson came cell side and asked about my problem and why was there a puddle infront of my door? I told her I had peed on myself and my chest and arm where hurting, She then stated that she had heard me banging for the last hour. I then aked her "if she heard me banging for an hour why didn't she come check on me?" She did not respond. [SEE OE(B) SUBMITTED WITH DE#1 CMHC POLICY I-66.3 PROCEDURE IV WHICH REQUIRES 15 MINUTE CH-
ECKS WHILE IN SECLUSION][SEE ALSO EX C AT TAYLOR 391 DAILY CARE
NOTES ENTERED AT 21:21 BY DEFENDANT HENDERSON WHICH SHOWS TAYLOR
WAS IN SECLUSION FOR HOUSTNG ONLY(A VIOLATION OF POLICY I-66.3)
SHE STATED OP WAS CALM AND ALERT AND RESPONSIVE AND THAT OP HAD
BEEN BANGING ON THE DOOR FOR APPROXIMATELY AN HOUR ASKING FOR BRP

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(BATHROOM PRIVELAGES) AND COMPLAINED OF CHEST PAIN. THIS EXHIBIT
ALSO SHOWS AT 1300 ON THE SAME DAY THAT SECURITY WAS NOTIFIED OF THE
DOCTORS ORDER TO DISCONTINUE SECLUSION AND SUICIDE PRECAUTION
AND RETURN TO A REGULAR CELL.][SEE ALSO EX C AT TAYLOR 400 WHICH
IS SECURITY NOTES SIGNED BY OFFICER PARKER SAYING AT 1800 I REFUSED
ALL AND AT 1900 WAS GIVEN A RESTROOM BREAK AND REFUSED ALL AT 2100
AND 2355 THIS EXHIBIT IS CONTRADICTED BY EX C AT TAYLOR 391 WHERE
DEFENDANT HENDERSON STATED I HAD BEEN COMPLAINING AND ASKING FOR
RESTROOM FOR OVER AN HOUR, IT ALSO CONTRADICTS EX.C AT TAYLOR 526
WHERE OFFICER PARKER STATES AT 1900 I WAS SITTING OR LYING.][SEE
ALSO EX.C AT TAYLOR 535 WHICH IS A VERBAL ORDER NOTE FROM R.N. LU-
JAN THAT HE HAD BEEN NOTIFIED AT 2106 I HAD BEEN BANGING FOR OVER
AN HOUR ASKING FOR THE NURSE AND THAT HE STATED TO NURSE HENDERSON
TO BRING ME TO THE ER WHICH WAS REFUSED.].

28. AT 2100 I was taken out of my cell by correctional officer Montez, John Doe#3, Defendant Riojas, and officer Parker who operated the camera. Officer parker stated for the officer to watch out for the puddle in front of my cell. I was handcuffed and taken backwards out of the cell in which a medical assessment was done where I received a type of pain medication for my injuries. [SEE EX.C AT TAYLOR 391 NURSE HENDERSONS NOTES SAYING I RECEIVED MEDICATION.]

29. On 9-12-13 while out of my cell Defendant Riojas asked someone to get him a dry towel, he then spot dried the front of my cell, no chemicals were used and lots of urine/sewage still remained on my floor. [SEE EX.BAT TAYLOR 199 DEFENDANT RIOJAS'S STATEMENT REGARDING GRIEVANCE #2014013418 PERTAINING TO THE D2-51 SECLUSION INCIDENT, RIOJAS STATED I WAS BANGING ON THE DOOR AND WAS AGITATED SO I WAS TOLD THAT DUE TO BEING AGITATED I COULD NOT USE THE RESTROOM IF I CALM DOWN I COULD USE THE TOILET, IF I USE THE DRAIN IT WILL

Ex.A

BE CLEANED UP AND AFTER I WAS CALM I WAS PULLED OUT AND MY CELL WAS CLEANED AND THE DRAIN WAS DRY NO SIGN OF IT OVERFLOWING, CONTRARY TO WHAT DEFENDANT RIOJAS STATEMENT SAYS, I WAS PULLED OUT FOR MEDICAL ASSESSMENT ONLY I WAS NEVER ALLOWED TO USE THE RESTROOM THERE WAS NEVER ANY REASON FOR DEFENDANT RIOJAS TO TELL ME IF I USED THE DRAIN IT WILL BE CLEANED, EXCEPT FOR THE SOLE REASON OF ME INITIALLY BEING TOLD TO PISS IN THE DRAIN. THIS EXHIBIT SHOWS THAT INFACt THE DRAIN HAD TO BE STOPPED UP BECAUSE IF NOT HE WOULD NOT HAVE HAD TO COME CLEAN UP THE CELL BECAUSE THE URINE WOULD HAVE WENT DOWN THE DRAIN, DEFENDANT RIOJAS FURTHER STATED THE DRAIN WAS DRY AND NOT STOPPED UP, YET THIS EXHIBIT SHOWS HE IS CONTRADICTORY BECAUSE THERE IS NO REASON TO CLEAN A DRY DRAIN IN THE MIDDLE OF A SECLUSION CELL, UNLESS IT OVERFLOWED.] [SEE ALSO EX.C AT TAYLOR 526 FROM 1800-2354 OFFICER PARKER SIGNED OFF ON ALL 15 MINUTES CHECKS WITH #11 WHICH STATES LYING OR SITTING, IT NEVER SAYS I WAS GIVEN A RESTROOM BREAK OR EVEN BEATING ON THE DOOR.] [SEE ALSO EX.C AT TAYLOR 391 FROM NURSE HENDERSON WHICH SAY I WAS CALM BUT HAD ONLY BEEN BANGING FOR A RESTROOM BREAK, AND CHEST PAINS].

30. On 9-12-13 after my medical assessment I was forced on my knees in the remaining sewage on video camera. [SEE DE#1].

31. On 9-13-13 after 0200 Defendant Ortiz came cell side in which I explained that I was extremely cold due to the fact my blanket was wet fromm the sewage and i was naked with the airconditioner blowing full blast. this Defendant still forced me to sleep with a wet blanket covered in sewage on the floor. [SEE DE#1]

32. On 9-13-13 at 0600 the officers shift changed officer Monica McCraw placed me in the shower then back in the cell the drain began to overflow of its own accord McCraw then contacted maintenance and the supervisor. [SEE DE#1]

33. At about 10:20 on 9-13-13 chow was brought I refused for fear of contamination while in sewage[SEE EX.C AT TAYLOR 389 SHOWS I REFUSED CHOW].

34. At about 10:30 sgt Randy Whitten arrived he began commenting on the atrocious ammonia smell he began coughing and stated I know you have sewage on you but i need you to wrap your blanket around you untill i get you in the shower.I was then left in the shower for four hours..[SEE EX.C AT TAYLOR 389 WHICH SHOWS I HAD TO BE PLACED BACK IN THE SHOWER].

35. 9-13-13 at about 1300 maintenance came and shut down cell d2-51 due to contamination and flooding this was done by red tagging the cell. [SEE DE#1]

36. ON 9-13-13 at about 1400 i was told i was moving to B2 once on B2 i was told I was being moved back to cell B2-45,I showed officer Trevino the fecal matter I was then taken back to B2 dayroom. [SEE DE#1 AND EX.C AT TAYLOR 388 DAILY CARE NOTES FROM NURSE HENDERSON SHOWING UPON LEAVING CELL D2-51 I WS CALM AND RESPONSIVE.] [SEE EX.C AT TAYLOR 525 WHICH SHOWS TAYLOR HAD BEEN LEFT IN SECLUSION FOR OVER 24 HOURS AFTER A DOCTOR ORDERED ME TO BE REMOVED.]

37. On 9-13-13 while in B2 dayroom Sgt Tyronne Jones came to talk to me he stated"he had just come from inspecting cell B2-45 and that he would personally clean everything except the ceiling, and in order to clean the ceiling a ladder would have to be brought in and that would require special permission which was to much of a hassle". I stated "you would not want to live in someone else's shit " he then responded"you are right and i am not mad at you for refusing but I have to put you in there by force or coice[SEE DE #1].

38. On 9-13-13 between 1400 and 1500 Sgt.jones contacted Sgt.Vallance

about the cell, Sgt. Jones stated to me I was allowed to go in the cell". I stated "if I had to go in the cell B2-45 I would hurt myself. I was then taken to A3-51 seclusion cell. [SEE EX.C AT TAYLOR 386 A SECLUSION NOTE FROM L.V.N JONES STATING ONCE ON B2 I REFUSED HOUSING AND STATED I WAS SUICIDAL. ALSO THAT I SPOKE WITH SGT JONE ABOUT THE SITUATION.]

39. On 9-13-13 while in seclusion I told nurse Lisa Sherwood I wanted to fill out a discharge and did not want to be a patient anymore. [SEE EX.C AT TAYLOR 383 SECLUSION NOTATION SHOWING I WANTED TO DISCHARGE THERE BY RELINQUISHING MY CONSENT TO BEING VOLUNTARILY COMMITTED].

40. On 9-13-13 R.n Wellendorf asked me about being suicidal "I told her I wasn't suicidal I just didn't want to go into a dirty cell [SEE EX.C AT TAYLOR 384 SECLUSION RESTRAINT NOTATION FROM NURSE WELLENDORF SHOWING I WAS COMPLAINING ABOUT CELL B2-45].

41. On 9-13-13 about 1830 in seclusion I was taken out of the cell to use the restroom at this time I was made to urinate standing naked handcuffed behind my back in front of two officers, while urinating I was having excruciating pain every time I tried to force urine out. I reported this to officer Tony Thomas. [SEE DE#1].

42. On 9-14-13 about 1030 in seclusion I reported to nusre Stephanie Orr that "I needed to see a doctor" in which she replied put in a sick call on monday(seclusion is not allowed paper or writing materials)due to her denial I lay on the floor all day in excruciating pain. [SEE DE#1].

43. about 1600 the pain in my bladder had become so severe I contacted nurse Orr on her rounds in which I asked her to see a male Doctor, she then asked "why?" and informed me that what ever I could tell a male doctor I could tell her because she had raised two boy I then explained my problem in which she asked "why hadn't I said any thing*****"

*

Ex.A

said anything sooner?" I stated I told you this morning you told me to fill out a sick call on monday" she then responded "I gave you our typical response to someone in seclusion". Due to this typical response I suffered all day until the point of having to be catheterized.

44. On 9-14-14 about 1600 I was pulled out of my cell in which defendant Orr did an assessment in which she determined my bladder was sore to palpation and that i was distended.[SEE EX.C AT TAYLOR 367 DAILY CARE NOTES SHOWING i HAD BLADDER PROBLEMS AND WAS DISTENDED].

45. on 9-14-13 at about 1800 I was escorted to the E.r whre it was determined that I needed an in and out catheterization. At this time I was naked with my hands cuffed behind my back in which I was forced to lay on my hands on a gurney that was set up in front of a window during shift change in a high traffic area. I was observed by men and women repeatedly while i was catheterized.[SEE EX.C AT TAYLOOR 206-207 CLINICAL NOTES SHOWING I HAD TO RECIEVE A CATHETER DUE TO PAINFUL URINATION]. [SEE ALSO EX.C AT TAYLOR 366 MY INABILITY TO VOID PREPARED BY DEFENDANT ORR].

46. On 9-14-13 about 1900 I returned to a3-51 cell where nurse Orr appologized to me for not acting sooner, I stated to her "that was the most uncomfortable feeling I've ever experinced.[SEE EX.C AT TAYLOR 365 SECLUSION NOTES WHICH SHOW I TOLD DEFENDANT ORR THAT WAS THE MOST UNCOMFORTABLE EXPERIENCE I'VE EVER HAD].

47. On 9-15-13 I continued to have bladder pains but instead of going throught the humiliating process again I waited to use the restroom when i went to the shower. [SEE DE#1].

48. On 9-16-13 P.A Cline came to speak with me I told her I was refusing housing in 45 cell because there was shit on the walls and

Case 5:14-cv-00149-C Document 115 Filed 11/02/16 Page 35 of 109 PageID 1375
ceiling and they keep trying to put me back in there and I had wrote a grievance on it also that I only say I am suicidal so I dont have to go back in that cell.[SEE EX.C AT TAYLOR 342 WHICH IS A PSYCHIATRIC FOLLOW UP FROM p.a. CLINE STATING I TOLD HER B2-45 HAD SHIT ON THE WALLS AND CEILING AND I HAD WROTE A GRIEVANCE.THIS EXHIBIT SHOWS THAT I HAD BEEN COMPLAINING FOR OVER A WEEK AND A HALF ABOUT THE FECAL COVERED CELL].

49. On 9-16-13 I was taken out of seclusion and placed back in cell B2-45 which i refused and was taken back to seclusion.[SEE DE#1].

50. On 9-16-13 I was escorted back to b2 4row where I was put in cell b2-39 which is directly accross from45 cell,there was a sign on the door that said red tagged due to poop everywhere signed by John McCraw ,the escort officer Jane Doe#2 stated"boy we had a hard time trying to get someone ladder trained just to find out the ladder was to small,so sgt shut the cell down."[SEE DE #1][SEE ALSO EX.B AT TAYLOR 201 SHOWING I WAS TO MOVE TO B2-45 ON 9-16-13 THEN WAS REASSIGNED TO B2-39,BECAUSE THE CELL WAS SHUT DOWN.]

51. On 9-16-13 I spoke with nurse Holly who filed a discharge for me stating I no longer wanted to be treated and it was documented I was in a culpable state of mind and had no diagnoses on axis 1 [SEE SUPPLEMENTAL EXHIBIT (H) THIRD MEDICAL REFUSAL OF TREATMENT].

52. On 9-16-13 after 1700 an inmate was brought oin a full chemical suit to clean cell b2-45,yet, I had been required to sleep in there naked for 3-4 days. It took 10 days for them to clean the cell after my first initial report. [SEE DE#1]

53.on 9-17-13 I was scheduled for an MD/MLP follow up visit concerning my bladder yet, i was never taken and an HSM-82 was forged saying I denied treatment in which my signature was placed as RTS (refused to sign) yet, it is known on B2 I can not posses writting

materials, also Unknown Signee John Doe signed as a witness, but the authorizing Dr. signature required for a refusal was never given. This denial resulted in a continuation of physical pain that could have been alleviated. [SEE SUPPLEMENTAL EXHIBIT(I) MEDICAL REFUSAL SIGNED BY UNKNOWN SIGHNEE JOHN DOE] [SEE ALSO EX.C AT TAYLOR 205 A VERBAL ORDER NOTE SCHEDULING TAYLOR FOR A DOCTORS APPOINTMENT FOLLOW UP ON 9-17-13, WHICH I WAS DENIED].

54. On 9-19-13 I was moved to a 3 row suicide prevention program this was after I had requested to be discharged 3 separate times. [SEE EX.C AT TAYLOR 336 EX.C AT TAYLOR 383 AND SUPPLEMENTAL EXHIBIT (H) ALL EXHIBITS SHOWING I REQUESTED DISCHARGE, WHICH WERE DISREGARDED].

55. On or about 9-27-13 I asked nurse thomas to contact provider woodall to assist in writing a grievance before the time limit was up. [SEE EXHIBIT C AT TAYLOR 225 AN EMAIL FROM NURSE THOMAS TO PROVIDER WOODALL REQUESTING HELP TO WRITE A GRIEVANCE.] [ALSO EX.C AT TAYLOR 332 WHICH WAS A SOCIAL WORKER CONTACT SHOWING ON 9-20-13 I WAS HELPED WRITE A GRIEVANCE] [SEE EX.B AT TAYLOR 192-95 WHICH IS A DOCUMENT OF GRIEVANCE # 2014013418 STEP 1 AND STEP2 COMPLAIONING ABOUT ALL THE CONSTITUTIONAL VIOLATIONS THAT HAPPENED TO ME ON 9-12-13 IN SECLUSION CELL D2-51THER BY EXHAUSTING ALL REQUIREMENTS PERTAINING TO EXHAUSTION IN WHICH I LISTED CHEVIS PARKER, RAYMUNDO MONTEZ, ROBERT RIOJAS, FRANCO ORTIZ, JOE MARTINEZ, WARDEN ROBERT STEVENS, AND NURSE CRESTOR HENDERSON.

56. On 10-2-13 I was taken off of s.p.p. While on SPP i requested numerous times help in writing grievances, but was denied.

57. On 10-11-13 i was placed on food loaf and written a case by Melissa Olmstead. [SEE DE#1]. [SEE ALSO EX.B AT TAYLOR 128 FOOD LOAF RESTRICTION]. [SEE ALSO EXHIBIT B. AT TAYLOR 177-78 AN OFFENSE REPORT

WRITTEN BY DEFENDANT OLMSTED].

58. On 10-13-13 I was taken off of food loaf due to receiving expired food loafs. [SEE EX.B AT TAYLOR 130 WHICH IS A GRIEVANCE WORK SHEET SHOWING I HAD BEEN TAKEN OFF OF FOOD LOAF].

59. oN 10-14-13 at around 8am defendant Olmstead came to my door and stated" I see you went and cried like a little bitch and got taken off of food loaf"she had had me placed on[SEE DE#1]

60. On 10-14-13 at 10:35 I was served a major disciplinary case by counsel substtute Dianna Ceja at which time defendant olmstead stated" I told you so" refering to an earlier comment about getting me a major case. [SEE DE#1]

61. On 10-14-13 about 1400 officer Olmstead came to pick up treys in which she opened my bean chute. I asked her"why she keeps on tripping with me"? we began arguing back and forth at which time she took her bean slot bar and rammed it through the bean chute hitting me in the right testicle. [SEE EX.B AT 155 WHICH IS A MONTFORD TURN OUT ROSTER FOR 10-14-13 1ST SHIFT WHICH SHOWS AT NO TIME WAS DEFENDANT OLMSTEAD EVER ASSIGNED TO E3 3ROW].[SEE ALSO DEFENDANTS MOTION FOR SUMMARY JUDGEMENT EXHIBIT B AT 293 (MSJ) IT IS A MENTAL HEALTH OBSERVATION CHECKLISTWHICH SHOWS NO OTHER OFFICER MADE ROUNDS OTHER THEN DEFENDANT OLMSTEAD AFTER 1400].[SEE ALSO EX. B ATTAYLOR 147 IT IS A STATEMENT FROM DONALD COLEMAN (OFFICER) SAYING AT NO TIME DURING HIS 15 MINUTE CHECKS DID i EVER TELL HIMM ABOUT THE ASSAULT. IN CONTRARY TO THIS STATEMENT DEFENDANTS MSJ EX B AT293 SHOWS THAT NOT ONE TIME ON 10-14-13 DID THIS OFFICER EVER COME DOWN 3 ROW TO DO 15 MINUTE CHECKS.

62. On 10-14-13 about 1600 defendant clmstead refused to feed me chow [SEE DE#1].

63. On 10-14-13 at 1800 I stated to officer Washburn I had been assaulted who responded "I was being to demanding" so he refused to help. [SEE DE#1].

64. ON 10-14-13 ABOUT 1900 i STATED to the nurse Parish when she made her rounds that I had been assaulted and needed help, she then went for help. [SEE EX.C AT TAYLOR 291 WHICH IS A LATE ENTRY NOTE ENTERED ON 10-14-13 AT 1920 WHERE SHE REPORTED ME TELLING HER I HAD BEEN ASSAULTED BY AN OFFICER.]

65. On 10-14-13 after 1900 sargent Randy Hancock came to do his rounds, I stated to him " i had been assaulted" he took me to the dayroom. [SEE DE#1].

66. Defendant riojas came in to the day room he asked me why I waited so long to say something in which I relied" I told the first available officer other than the assaulting officer." I then wrote a statement. [SEE EX.B AT TAYLOR 151 WHICH IS MY WRITTEN STATEMENT REGARDING THE ASSAULT]. [SEE ALSO EX.B AT TAYLOR 150 WHICH IS A STATEMENT CONCERNING MY ALLEGED ASSAULT AND THE TREATMENT I RECEIVED], [SEE ALSO EX.B AT TAYLOR 145 WHICH IS A REPORT ABOUT GRIEVANCE #2014 027977 WRITTEN BY INMATE RUEBEN MCKENZIE SAYING HE WITNESSED THE ASSAULT.

67. On 10-14-13 at 2100 I was taken to the E.R. where an evaluation was done in which I was prescribed an ice pack for 24 hours, and ibuprofin for 72 hours, once the nurse found out this was a staff assault she left the room with defendant riolas , she then came back in and stated we are done. [SEE EX.C AT TAYLOR 532-33 CLINICAL NOTES PRESCRIBING MEDICATION AND SHOWING GRIMACES WITH PALPATION]. [SEE ALSO EX.B AT TAYLOR 153 WHICH IS AN INJURY REPORT WHICH WAS CHECKED AS A MINOR INJURY BUT WAS LATER ALTERED TO SHOW NO APPARENT INJURY]. [SEE

ALSO EX.B AT TAYLOR 154 WHICH WAS A STAEMENT WROTE BY NURSE CARPENTER SAYING SHE PERSCRIBED ICE PACK AND iB PROFIN.

68. On 10-14-13 after leaving the infirmary I asked defendant riojas if he was going to take pictures of my injury of my swollen testicle he stated, there's nothing wrong with you so i'm not taking pictures and it would be best if I let this go. [ORIGINAL EXHIBIT (E) WHICH IS ADMINISTRATIVE DIRECTIVE POLICY A.D 03.47 WHICH STATES PICTURES WILL BE TAKEN AFTER ANY USE OF FORCES OR INJURY INCURRED BY OFFENDER OR EMPLOYEE].[SEE ALSO EX.B AT TAYLOR138WHICH IS A GRIEVANCE INVESTIGATION WORK SHEET PERTAINING TO TAYLORS ASSAULT BY DEFENDANT OLMSTEAD IT SHOWS IT WAS CHECKED OFF ON AS A USE OF FORCE(UOF) INVESTIGATION].[SEE ALSO EX B AT TAYLOR 137 WHICH IS AN OIG FACT SHEET INVESTIGATION WHICH SHOWS IN SECTION IV THE PROPER SIGNATURES WERE NOT PROVIDED DURING THE INVESTIGATION DATED NOV 4, 2013].[SEE ASLO EX B AT TAYLOR 152 WHICH IS A SUPERVISORS INVESTIGATION OF EMPLOYEE/OFFENDER INJURY WHICH USE OF FORCE WAS NOT CHECKED ALSO CAUSE OF INJURY WAS CHECKED AS STRUCK BY, AND TYPE OF INJURY WAS CHECKED AS BRUISE OR DISCOLORATION].[SEE ALSO EX.B AT TAYLOR156 WHICH IS A GRIEVANCE WORK SHEET THAT WAS SIGNED OFF ON BY AN OIG SAYING INSUFFICIENT EVIDENCE TO OPEN AN OIG INVESTIGATION BUT WAS IMPROPERLY FILED OUT FAILING TO SHOW USE OF FORCE UNEREPORTED(UR) ALL OF THESE LISTED MISTAKE SHOW THAT TAYLOR INVESTIGATION OF HIS USE OF FORCE WAS GROSSLEY MISHANDED.

69. ALSO ATTACHED TO THIS DECLARATION IS EXHIBITS B AT TAYLOR 022-23 131-34,157-160,AND 192-95 WHICH ARE COPIES OF TAYLORS GRIEVANCES SHOWING EXHAUSTION REQUIREMENTS WERE FULLY MET

70. The foregoing factual allegations create a genuine issue of material fact and will, if proved at trial, support a judgement in my favor as explained in the brief submitted with this decleration.

PURSUANT TO 28 U.S.C §1746

I, TRENT TAYLOR, TDCJ# 01691384 PRESENTLY INCARCERATED ON THE CONNALLY UNIT IN KARNES COUNTY TEXAS DECLARE UNDER PENALTY OF PERJURY THE FOREGOING IS TRUE AND CORRECT.

SIGNED THIS 17TH DAY OF OCTOBER 2016



TRENT TAYLOR #01691384
PRO-SE
399 FM 632
KENEDY TX 78119

Ex.A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

TRENT TAYLOR
TDCJ NO. 01691384,
PLAINTIFF,

CAUSE NO. 5:14-CV-149-C

v.

ROBERT STEVENS, et al.,
DEFENDANTS, .

EXHIBIT B

PLAINTIFF'S GRIEVANCE RECORDS

BUSINESS RECORDS AFFIDAVIT

STATE OF TEXAS

§
§
§

COUNTY OF WALKER

BEFORE ME, the undersigned authority, personally appeared, Misti Sorenson, who, being duly sworn by me, deposed as follows:

"My name is Misti Sorenson. I am over 18 years of age, of sound mind, capable of making this affidavit, and have personal knowledge of the facts herein stated:

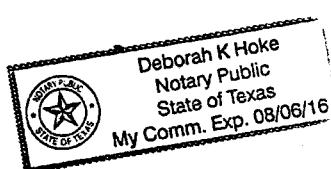
I am employed as the Program Supervisor V of Offender Grievance for the Texas Department of Criminal Justice (TDCJ). I am the custodian of the Offender Grievance Records for the TDCJ, and these records were kept in the regular course of business, and it is the regular course of business for an employee or representative of the TDCJ, with knowledge of the act, event, condition, or opinion, recorded to make the record or to transmit information thereof to be included in such record. The record was made at or near the time or reasonably soon thereafter. I have reviewed the grievance records for Offender Taylor, Trent TDCJ #1691384, Cause Number 5:14CV149, for the time period of April 2013 to January 2015."

"The records attached hereto are the original or exact duplicates of the originals."



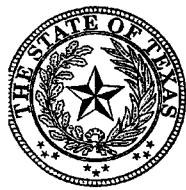
Misti Sorenson
Program Supervisor V, Offender Grievance
Texas Department of Criminal Justice

SWORN TO AND SUBSCRIBED before me on this the 13th day of July, 2015.





Deborah K. Hoke
NOTARY PUBLIC in and for
The State of Texas



Texas Department of Criminal Justice

STEP 1 OFFENDER
GRIEVANCE FORMOffender Name: Taylor, Trent TDCJ # 1691384Unit: JM Housing Assignment: D2-51Unit where incident occurred: JM

OFFICE USE ONLY

Grievance #: ScreenedDate Received: 2/1/2013Date Due: 2/1/2013Grievance Code: SEP 24 2013Investigator ID #: SEP 24 2013Extension Date: SEP 24 2013Date Retd to Offender: SEP 24 2013

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Sgt. Surney When? 9/11/13 ± 2pm
 What was their response? Showed a blatant disregard to civil rights as a human being
 What action was taken? He forced me to say I wanted to go to Seclusion, against my will

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

This grievance is being wrote on the Montford Psychiatric Unit due to the inhumane living conditions that they have provided for me as an inmate. They have violated my Federal & State civil rights. My rights as an inmate are to be provided with a safe, clean environment, food, water, etc. Sept 6, 13, I was placed in a cell on 4 row on B-2, left in the cell over the weekend & the cell had poop everywhere, (the toilet, the drinking faucet). I told several officers but nothing was done about it. On Sept 9, I was moved to 3 row on B2 pod. On Sep 11, they tried to move me back to 4 row in the same cell that had all the fecal matter. I talked to the Sgt. about it & he told me that I would be physically placed in the cell or willingly go in there. I told him that this is a disease contaminated cell & that it was detrimental to my health & "under color of State law" the Sgt. still would do nothing to help me. He stated, "All cells have shit in them due to the previous inmates that had been housed there before." I told him that it was not my problem & that it was his job to provide me with a safe & clean environment. He told me that if I didn't want to go into this cell that I knew what I had to do to go into seclusion. Therefore, I believe I was forced to say "I will hurt myself in order to go into a contaminated cell." Also being on B2 pod, I believe I have been denied my rights to the legal system, the inmate correspondence system. Also, I believe my Caloric intake provided by TDCJ is less than 2500 calories per day due to the Johnnies

SEP 24 2013

I-127 Front (Revised 11-2010)

YOUR SIGNATURE IS REQUIRED ON BACK OF THIS FORM

(OVER)

Appendix F

ExB. Taylor - 022

I am being fed. These are on-going issues that are taking place at the Montford Unit in which violate inmate Civil rights. This is a Step 1 process to insure proper procedures are being taken on my behalf in order for me to file a 1983 federal lawsuit against DCJ for violation of civil rights. SEP 24 2013

I am having an ¹⁵ alternate write this grievance due to my housing, I would like a copy of this grievance sent to me for my personal files.

ion Requested to resolve your Complaint.

would like this documented in a timely manner & to be insured that a negative action will be taken against me for the filing of this grievance.

ender Signature: D. Stafford

Int. Page

9-12-13 (69134)

Date: 9-12-13

SEP 24 2013

SEP 24 2013

grievance Response:

nature Authority:

Date:

You are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

urned because: *Resubmit this form when the corrections are made.

1. Grievable time period has expired.
2. Submission in excess of 1 every 7 days. *
3. Originals not submitted. *
4. Inappropriate/Excessive attachments. *
5. No documented attempt at informal resolution. *
6. No requested relief is stated. *
7. Malicious use of vulgar, indecent, or physically threatening language. *
8. The issue presented is not grievable.
9. Redundant, Refer to grievance # _____
10. Illegible/Incomprehensible. *
11. Inappropriate. *

I Printed Name/Signature: D. Stafford / D. Stafford uci

application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

cial Signature Authority: _____

27 Back (Revised 11-2010)

OFFICE USE ONLY	
Initial Submission	UGI Initials: <u>AB</u>
Grievance #:	<u>2014014582</u>
Screening Criteria Used:	<u>899 #2 SEP 24 2013</u>
Date Recd from Offender:	<u>SEP 24 2013</u>
Date Returned to Offender:	<u>SEP 24 2013</u>
2 nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3 rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____

E3-291

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Placement on Restriction

Ad Seg Level Review

(Ad Seg Offenders ONLY)

I. OFFENDER INFORMATION

(CH)

Offender Name: Taylor, TREV; TDCJ # 1691384; Custody: MH; Unit: JM

II. PLACEMENT ON RESTRICTION (Initial Placement ONLY)

Instructions: The highest-ranking supervisor on duty has the authority to initially place an offender on restriction. The shift supervisor (may be the same individual) shall document the placement in Sections I. and II. of this form; and then notify the Unit Classification Committee (UCC) or the Administrative Segregation Committee (ASC) — by providing them this form intact.

a. As of (date) 10/11/13, at (time) 11:00 AM, the above-named offender has been placed on restriction, in accordance with SM-01.29, Offender Management Restrictions. (NOTE: Place a ✓ in front of each restriction imposed):

Paper gown; Paper mask; Food loaf

Personal property (i.e., container; hard plastic; lock; metal; hotpot; etc.)

• List specific property restricted: _____

State Issued property (i.e., mattress; blanket; sheet; etc.)

• List specific property restricted: _____

b. Reason for Placement: Detainee with Gun Today, shot

c. Documented by: Katherine B. St SA/DO 10/11/13
(Print Name & Rank/Title) (Signature/Date)

→ The restriction(s) may only continue up to 24 hours without review by the UCC/ASC (or until their earliest following workday).

III. UCC / ASC REVIEW

Instructions: This section shall be utilized for both UCC and ASC reviews. If the form is being utilized for a "subsequent review, the Committee must ensure Section I (Offender Information) is completed and have the previous I-203 available for review.

a. **REVIEW:** (✓ one) Initial; Subsequent; Review held on 10-14-13 at 12:00 by the (✓ one) UCC; ASC.

(Date)

(Time)

b. **Type of Review:** Restriction; 7-day; 30-day;

c. **RESTRICTIONS:** The UCC/ASC has reviewed the offender's record and has decided to either impose, continue, or discontinue restrictions, as noted below:

- Paper gown? YES; NO Review/Expiration Date: _____

- Food loaf? YES; NO Review/Expiration Date: 10-18-13 11:00

- Personal property? YES; NO Review/Expiration Date: _____

• List specific property restricted: _____

- State-Issued property? YES; NO Review/Expiration Date: _____

• List specific property restricted: _____

d. **LEVELS:** (To be completed for Ad Seg offenders ONLY):

Pursuant to the Administration Segregation Plan, the offender is assigned to Level (✓ one): I II or III

e. Justification for Decision(s): _____

f. Committee Members (Print Name & Rank/Title/Sign Initials): R. Williams, M. Brown

Lead 128

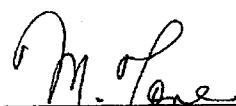
CC. T. Thomas, PT

IV. OFFENDER NOTIFICATION

Instructions: Staff shall notify the offender that the UCC/ASC decision will expire on the date indicated or be reviewed for continuation; order to sign (if offender refuses, document the refusal); and provide the offender a copy of the completed document.

Notify: 10-14-13 SA
(Employee - Print Name & Sign Initials)

Katherine B. St 10/11/13
(Offender Signature & Date)

GRIEVANCE INVESTIGATION WORKSHEET						STEP 1 STEP 2 X
<i>Restricted & Confidential</i>						
GRIEVANCE OFFICE USE ONLY						
Unit: JM Invest #: I0794 Date Initiated: 12/09/13 Date Completed: 01/27/14 Date due: 01/13/14						
Offender Name: Taylor, Trent TDCJ #: 1691384						Grievance No: 2014033744
ISSUE CODE 500	EMERGENCY YES () NO ()	ADA DISCIPLINARY () MEDICAL ()	PROPERTY RELIGION OPI Investigation ()	() ()	Impermissible Offender Conduct USE of FORCE (UOF) () Harassment or Retaliation* ()	() ()
<small>* Harassment/Retaliation for Use of the Grievance Procedure, Access to Courts, or other Legal Activity</small>						
Note: Offenders are not allowed to review the grievance investigation worksheet at any time. For claims of sexual assault, sexual abuse, criminal acts by staff. Excessive or Unreported UOF, the investigation must be conducted by the Office of the Inspector General (OIG) Fact Sheet completed.						
Summary of Issue: (Including date, time and, location) Offender alleges on 10/12/13, he was served food loaf that was 17 day old and food loaf if only to be served with an expiration date of no later than 14 days old. The Lieutenant that was on duty told the officer to feel him a regular food tray and he was told by the officer that the matter would be looked into. The next day 10/13/13, he had diarrhea and severe stomach cramps.						
Requested Remedy: He would like this matter investigated and he wants the violations noted.						
<small>The following is to be completed and signed by the Investigating Official, a separate form is required for multiple issue medical grievances. Attach Statements/Support documentation, if applicable.</small>						
Summary of Fact Finding Activity: Step I investigation reviewed at Regional Office: Step 2 ext 01/13/14 jt Statement Officer t. Gipson 10/27/13 – Food loaf had expired and Food Service and Shift supervisor were notified of such incident. Supervisor statement I. Macias 10/27/13 The offender was removed from food loaf and had been given a regular food tray. Statement officer Samuel Morado – 10/27/13 informed Food Service Manager McGee of the 2 week policy and he said he would tell Captain Benson. No food loaves with a later date were available, offender was given a regular food tray. Supervisor statement Sergeant Swint – 10/28/13 All old food loaves were disposed of and fresh ones were made the next day. Issue was corrected. 2.02 <i>2.02 - Expired food loaves were disposed and fresh made</i>						
Suggested Response to Offender: Your claims have been reviewed. Records revealed that you were served a regular food tray instead of the food loaf. Records also indicate that new food loaves were made fresh on October 13, 2013. No further action is warranted at this time						
OUTCOME CODE: <u>D</u> (Grievance Office Use Only)						
Investigating Official completes the section below.						
Printed Name: <u>M. Tone</u>			Signature: 			
Title: AA IV – Reg. V. Step 2 Grv.			Date: <u>01/27/14</u>			
WARDEN/DESIGNEE: This grievance involves an offender protection request or allegations of Harassment or Retaliation from staff.						
<input type="checkbox"/> No Action Warranted		<input type="checkbox"/> Refer to the OIG (For Use Only with Harassment/Retaliation)			<input type="checkbox"/> Cell Change/Transfer	
<input type="checkbox"/> Protective Custody		<input type="checkbox"/> Administrative Action				
Signature:		Title:			Date:	
This grievance is being processed in an effort to resolve a problem through the established procedures identified in BP-03.77 and AD-03.82. It is expressly prohibited to subject the grieving offender, other offenders, or staff to any form of reprisal for the use of these procedures.						
OG-01 (front) Rev. 11/2010						
Appendix H						



Texas Department of Criminal Justice
STEP 2 OFFENDER
GRIEVANCE FORM

Offender Name: Trent Taylor TDCJ # 01691384
 Unit: Robertson Housing Assignment: E-71 D
 Unit where incident occurred: Montford unit

OFFICE USE ONLY

Grievance #: 2014028089
 UCI Recd Date: 11-27-13
 HQ Recd Date: DEC 05 2013
 Date Due: 01-01-14
 Grievance Code: 800
 Investigator ID#: 9104
 Extension Date: _____

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because, I am dissatisfied because It is said no Evidence was found or presented to substantiate my allegations. My Evidence presented was as follows. My testimony : the testimony of Luben mckenzie 0677985 also me receiving an ice pack and -72 hours of Ib Profin the nurse stated to me she seen the swelling yet after a talk she had with Sgt Fintas she changed her written report saying she seen no swelling yet she prescribed ice for swelling. If there was nothing wrong why was I provided these medications. Sgt Fintas ^{coerced} He said nurse into "falsifying" the document. This is not just simply an allegation I state this because I had severe swelling and bruising yet he denied "photographic" evidence AD347 Rev 5 Mar 9, 2010 Subject: Taking photographs following an injury or use of force Incident Authority: Texas government code § 5493a(c)(3) and 494.002(a) Reference: ACA Standard 4-4128^b Applicability: TDCJ Policy: photographs shall be taken of each offender who is involved in a use of force incident or whenever an offender or employee incurs an injury. The purpose of the photograph is to provide an additional evidence in administrative proceedings or criminal prosecution. photographs taken should attempt to show any injury or lack thereof, with as much detail as possible" Procedure offender photographs (A) following a use of force incident, whether injury exist or not, security staff shall be responsible for taking, at a minimum, a full front photography (B) whenever an offender has incurred an injury, 1. a photography shall be taken of the injured area III required elements of photographs C. nude photographs shall not be included unless an offender injury is to the anus, genitalia or female breast. VI: photograph identification and maintenance (2) photographs taken due to injuries incurred other than from a use of force shall accompany the official report signed by Brad Livingston. photographs were denied to me in order to discredit my claim. IF Taken it would have clearly shown my injuries. This specific (OVER)

1-128-Front (Revised 11-2010) YOUR SIGNATURE IS REQUIRED ON BACK OF THIS FORM

Appendix G

Rule should not be taken lightly. Sergeant Robert Rides denied no photographs to substantiate my claim. Yet there is still 2 witness statements yet only the single officer denying this. Mary Holligan is also being held responsible to do due to her lack of thorough investigation. The pictures being taking is something you all should have caught and inquired about it proves. There was a cover up of the incident

Offender Signature: Pat Taylor 01691284 Date: 11-26-13

Grievance Response:

This issue has been reviewed by The Office of the Inspector General and that office has determined that there is insufficient evidence to warrant opening a case. No further action will be taken.

Signature Authority: B. PARKER B.A. Date: 12/17/13

Returned because: *Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible.*
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments.*
- 5. Malicious use of vulgar, indecent, or physically threatening language.
- 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY	
Initial Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
2nd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	
3rd Submission	CGO Initials: _____
Date UGI Recd: _____	
Date CGO Recd: _____	
(check one) <input type="checkbox"/> Screened <input type="checkbox"/> Improperly Submitted	
Comments: _____	
Date Returned to Offender: _____	



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

NOV 22 2013

Offender Name: Trent Taylor TDCJ # 01691384

Unit: Montford Housing Assignment: E-3-29

Unit where incident occurred: Montford unit

EMERGENCY (OTG)

OFFICE USE ONLY

Grievance #: 2014028089

Date Received: OCT 17 2013

Date Due: 800 11-26-13

Grievance Code: 800

Investigator ID #: I-4910

Extension Date:

Date Reid to Offender: NOV 22 2013

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Sergeant ~~Amber~~ Hancock When? 10-14-13

What was their response? He was going to check into it and come right back

What action was taken? I was taken to medical where an assessment was made

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

On 10-14-13 Officer melissa almstead Co IV was on 3 man picking up trays after lunch when she stopped at my cell door. I asked her why you keep tripping with me. I've never talked bad to you or nothing. She said I was always crying. I said your just mad I got taken off of food loaf. She said I still got you a major case I began cursing at her. Then she was like I still go home every night you stay here. So I said some bad things about her kids. Probably masturbating on her and calling her B**tch and their ethnicity. At this time she jabbed the barbs hair through the open slot and hit me in my Testicles. The said officer maliciously attacked me with a weapon which caused me sever harm. leaving a lump on my right testicle. This whole incident was seen by Lt. Brian mcmurrie E-3-27 Rank Tdc # 01677985. The said officer had been antagonizing me all week due to an earlier incident. She got upset when I was taken off of food loaf after only 24 hours. Also she made a malicious comment in front of ms. reba Counsel Substitute. "She said I told you so and began laughing at me" This was stated after ms. reba said on ms. almstead wrote the case. As soon as the officer on the next shift arrived on E-3 Row I stated my emergency and was denied help because I was told I was demanding. I also told ms. griffin who told me to wait at the door for the Sergeant. I then told nurse perish. Then finally hours after me telling the initial guard Sgt Hancock came to do rounds. I explained to him. He took immediate control of the situation I was asked why I never said anything sooner. I gave him two reasons 1 being the guy across the hall said she would try to lie on me and get me locked up. 2) being who was I suppose to tell her? She was the person

who had control of the run. You ~~weren't~~ wasn't even in charge of this run when she officially committed the act of assault with a weapon causing bodily injury. So she left her post to assault me. This was supposed to be Coleman, Donald post. By her hitting me. She as an official knew of and purposely disregarded a substantial risk of serious harm to my health. I as a prisoner have the right to receive medical care, food, clothing, water and shelter. and to be reasonably safe while in prison. officer ~~almst~~ instead failed her duty to keep me safe by using a TDCJ tool in an unofficial manner to maliciously and intentionally inflict severe pain and bodily injury. In which Nurse S. Carpenter RN / DR. Aristimuno determined the injury to be severe enough to issue a 24 hour ice pack for swelling and 72 hours of Ibuprofen for the pain ~~tomorrow~~ I was in ~~on~~ OCT 17 2013

Action Requested to resolve your Complaint.
I would like this matter thoroughly investigated I would like to speak with an OIG and also an outside representative such as a Regional Office personnel to discuss the terms of mine for resolution.

Offender Signature: Dot Day #FO1691384 Date: 10-15-13 OCT 17 2013

Grievance Response:

YOUR ALLEGATION WAS FORWARDED TO THE REGIONAL OFFICE OF THE INSPECTOR GENERAL FOR INVESTIGATION. NO EVIDENCE WAS FOUND OR PRESENTED TO SUBSTANTIATE YOUR ALLEGATIONS. NO FURTHER ACTION IS WARRANTED IN THIS MATTER. UMH

Signature Authority: M. Holligan

Date: 11-7-13

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corr. _____ made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

I-127 Back (Revised 11-2010)

OFFICE USE ONLY	
Initial Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
2nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____

Appendix F

FACT SHEET FOR OIG INVESTIGATION																																								
Section I. Grievance Information <p><i>Instructions: Upon receipt of a grievance alleging sexual assault, sexual abuse, excessive or unreported use of force, or harassment/retaliation for exercising access to courts, the Grievance Investigator (UGI) shall complete Section I, and forward a copy of the grievance along with the Fact Sheet to the Regional Grievance Supervisor (RGS) for Step 1 grievances and a Central Grievance Office Supervisor (CGOS) for Step 2 grievances.</i></p>																																								
Offender Name: <u>TAYLOR, TRENT</u> TDCJ #: <u>1691384</u> Grievance #: <u>2014028089</u> Alleged incident Date: <u>10-14-13</u> Time: <u>10:00</u> Unit: <u>JM</u> Location: <u>E329</u> What were the employee's alleged actions? <u>CO DLMSTEND SPUN THE BEAN BAR THROUGH THE FOOD SLOT HITTING HIM IN THE TESTICLES, CAUSING LUMP ON (R) SIDE</u>																																								
Other staff/offenders alleged to be involved: <table border="1"> <thead> <tr> <th>Participant</th> <th>Witness</th> <th>Name:</th> <th>Shift/Title</th> <th>Social Security/Offender ID #</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><u>1. OLIMSTEND, MELISSA</u></td> <td><u>1/1 - COIV</u></td> <td><u>██████████</u></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><u>2. MCKENZIE, REUBEN</u></td> <td><u>OFFENDER</u></td> <td><u>██████████</u></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><u>3.</u></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><u>4.</u></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><u>5.</u></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><u>6.</u></td> <td></td> <td></td> </tr> </tbody> </table>						Participant	Witness	Name:	Shift/Title	Social Security/Offender ID #	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>1. OLIMSTEND, MELISSA</u>	<u>1/1 - COIV</u>	<u>██████████</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>2. MCKENZIE, REUBEN</u>	<u>OFFENDER</u>	<u>██████████</u>	<input type="checkbox"/>	<input type="checkbox"/>	<u>3.</u>			<input type="checkbox"/>	<input type="checkbox"/>	<u>4.</u>			<input type="checkbox"/>	<input type="checkbox"/>	<u>5.</u>			<input type="checkbox"/>	<input type="checkbox"/>	<u>6.</u>		
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<input type="checkbox"/>	<input type="checkbox"/>	<u>5.</u>																																						
<input type="checkbox"/>	<input type="checkbox"/>	<u>6.</u>																																						
Medical: UOF: <u>NONE</u> Disciplinary: <u>NONE</u> Grievance: <u>NONE</u> UGI Printed Name: <u>D. Stafford UOS</u> Signature/Date: <u>D. Stafford 10-17-13</u>																																								
Section II. Review by Regional or Central Grievance Office Supervisor <p><i>Instructions: The RGS or CGOS shall review the grievance and Fact Sheet, sign, date, and forward to the designated OIG Regional Supervisor (Regional Office for Step 1 or Huntsville OIG Huntsville Office for Step 2).</i></p>																																								
RGS Printed Name: <u>C. HARRELL</u> Signature/Date: <u>C. Harrell by JF OCT 25 2013</u>																																								
Section III. Review by OIG Supervisor <p><i>Instructions: Upon review of the grievance, support documentation, and Fact Sheet, the OIG Supervisor shall make a determination and check the appropriate box (a, b, or c). Sign and return a copy of the grievance and the Fact Sheet to the RGS or CGOS, as appropriate.</i></p>																																								
a. <input type="checkbox"/> OIG case # <u>129</u> assigned, b. <input checked="" type="checkbox"/> Insufficient evidence to open an OIG investigation; or c. <input type="checkbox"/> Recommend further review by warden for possible PD-22 violations.																																								
OIG Supervisor Printed Name: <u>Captain David Mayo, #129</u> Signature/Date: <u>D. Mayo #129 10/29/2013</u>																																								
Section IV. Processing (Step 1)																																								
RGS Received Printed Name: _____ Signature/Date: _____ NOV 04 2013 <i>Instructions: The RGS shall review the OIG decision, check the appropriate guidance below, and forward the grievance and Fact Sheet to the UGI for final processing.</i>																																								
a. <input checked="" type="checkbox"/> Formulate a response for Warden's signature and complete the Step 1 grievance process (when the OIG supervisor checks the 'a' or 'b' box above). b. <input type="checkbox"/> Review the grievance and Fact Sheet with Warden for any action deemed appropriate. Once the review is completed, formulate a response for the Warden's signature and complete the Step 1 grievance process (when the OIG supervisor checks the 'c' box above).																																								
UGI Received Printed Name: <u>D. Stafford</u> Signature/Date: <u>D. Stafford 11-6-13</u> Warden Printed Name: <u>MARY HOLLIGAN</u> Signature/Date: <u>Mary Holligan 11-8-13</u>																																								
Section V. Processing (Step 2)																																								
CGO Received Printed Name: _____ Signature/Date: _____ <i>Instructions: The CGO shall review the OIG decision and check the appropriate guidance below.</i>																																								
a. <input type="checkbox"/> Formulate a response for signature and complete the grievance process (when the OIG supervisor checks the 'a' or 'b' box above). b. <input type="checkbox"/> Forward a copy of the grievance and Fact Sheet to the UGI for review with Warden for appropriate response. Coordinate with the UGI to formulate a response for the Step 2 grievance and complete the grievance process (when the OIG supervisor checks the 'c' box above).																																								
Grievance Investigator Received Printed Name: _____ Signature/Date: _____																																								
OC-029 (11/2010)																																								

Appendix J

GRIEVANCE INVESTIGATION WORKSHEET
Restricted & Confidential

GRIEVANCE OFFICE USE ONLY			STEP 1 STEP 2		
Unit: <u>JM</u> Investigator ID: <u>I 1910</u> Date Initiated: <u>10-17-13</u> Date Completed: <u>11-8-13</u> Date Due: <u>11-26-13</u> Offender Name: <u>TAYLOR, TREVNT</u> TDCJ #: <u>1691384</u> Grievance #: <u>2014028089</u>					
Issue Code:	EMERGENCY <u>800</u>	ADA Disciplinary Medical	() () ()	Property Religion OPI Investigation	() () ()
	YES () NO ()	()	()	()	() Use Of Force (UOF) Harassment/Retaliation*
<small>*Harassment or Retaliation for Use of the Grievance Procedure, Access to Courts, or other Legal Activity</small>					
<small>NOTE: Offenders are not allowed to review the grievance investigation worksheet at any time. For claims of sexual assault, sexual abuse, criminal acts by staff, Excessive or Unreported UOF, the investigation must be conducted by the Office of the Inspector General (OIG) and the OIG Fact Sheet completed.</small>					
<small>Summary of Issue: (Include date, time, location) <u>ALEGES THAT ON 10-14-13 CO OLINSTEAD WAS PICKING UP FOOD TRAYS WHEN HE È HER GOT INTO A VERBAL ALTERCATION. HE CLAIMED THAT HE SAID SOME "BAD THINGS" ABOUT HER CHILDREN È SHE JABBED THE BEAN BAR THROUGH THE OPEN FOOD SLOT, HITTING HIM IN THE TESTICLES, LEAVING HIM WITH A LUMP ON HIS RIGHT TESTICLE.</u></small>					
<small>Requested Remedy: <u>Properly investigated, specific to OIG & someone from PEG 5 office</u></small>					

The following to be completed and signed by the Investigating Official, a separate form is required for multiple issue medical grievances. Attach Statements/Support Documentation, if applicable.

Summary of Fact Finding Activity: UCR: 02, 06, 07, 11

Captain Villalpando notified @ 11:20 AM

Major Williams notified @ 11:21 AM

Suggested Response to Offender:

YOUR ALLEGATION WAS FORWARDED TO THE REGIONAL OFFICE OF THE INSPECTOR GENERAL FOR INVESTIGATION. NO EVIDENCE WAS FOUND OR PRESENTED TO SUBSTANTIATE YOUR ALLEGATIONS. NO FURTHER ACTION IS WARRANTED IN THIS MATTER.

OUTCOME CODE D (Grievance Office Use Only)

Investigating Official completes the section below.

Printed Name: D. Stafford

Title: UOE

Signature: D. Stafford

Date: 11-6-13

WARDEN OR DESIGNEE OR MEDICAL SIGNATURE AUTHORITY: This grievance involves an offender protection request or allegations of Harassment or Retaliation from staff.

<input type="checkbox"/> No Action Warranted	<input type="checkbox"/> Refer to the OIG (For Use Only with Harassment/Retaliation)	<input type="checkbox"/> Cell Change or Transfer
<input type="checkbox"/> Protective Custody	<input type="checkbox"/> Administrative Action	

Signature: _____ Title: _____ Date: _____

This grievance is being processed in an effort to resolve a problem through the established procedures identified in BP-03.77 and AD-03.82. It is expressly prohibited to subject the grievant, other offenders, or staff to any form of reprisal for the use of these procedures.

*** REQUESTOR: RVI4678 - VILLALPANDO, ROBERTO MONTFORD UNIT ***
*** SYSTM IN BASKET PRINT ***

MESSAGE ID: 393380 DATE: 10/17/13 TIME: 12:04pm PRIORITY: 000

TO: RVI4678 - VILLALPANDO, ROBERTO
CAPTAIN
MONTFORD UNIT
8602 PEACH STREET
LUBBOCK, TX 79404

FROM: DST5682 - STAFFORD, DENISE
GRIEVANCE
MONTFORD UNIT
8602 PEACH ST
LUBBOCK, TEXAS 79404

SUBJECT: 2014027977/MCKENZIE, REUBEN

GRIEVANCE: 2014027977

OFFENDER: MCKENZIE [REDACTED]

[REDACTED] E3-27

OFFICIAL NOTIFIED: MAJOR WILLIAMS 10-17-13 @ 11:21 AM

THIS OFFENDER SUBMITTED A GRIEVANCE OF ALLEGATIONS THAT ANOTHER OFFENDER WAS ASSAULTED BY STAFF.

THE ALLEGATION IS: ALLEGES THAT ON 10-14-13 CO OLMSTEAD HIT OFFENDER TAYLOR, TRENT #1691384 WITH THE "BEAN BAR." HE CLAIMS HE DID NOT SEE WHERE SHE HIT HIM, THEN NOTICED OFFENDER TAYLOR BEND OVER AND HOLD "WHERE HIS BALLS ARE AT." HE CLAIMS HE IS A WITNESS TO THE WHOLE INCIDENT.

MAJOR WILLIAMS WAS NOTIFIED AND DIRECTED CAPT. VILLALPANDO TO CONDUCT THE INVESTIGATION. ALL STAFF WILL BE NOTIFIED VIA EMAIL.

D. STAFFORD, UGI

Sent to:			
RVI4678	VILLALPANDO, ROBERTO	(to)	
RST0284	STEVENS, ROBERT K.	(to)	
MHO7819	HOLLIGAN, MARY	(to)	
BWI5752	WILLIAMS, BRYAN	(to)	
TT00004	THOMAS, TRACIE	(to)	

Texas Department of Criminal Justice

Inter-Office Communications

To Capt Villaponte

Date 10-21-2013

From D Colemon

Subject AS Stated

I was assigned to E3 on this date but I have no knowledge of this event ever taking place

While doing 15 min checks Not 1 time did

This offender say anything to me. The offender is Taylor, Trent 1691384

ASO-4

Texas Department of Criminal Justice
CORRECTIONAL INSTITUTIONS DIVISION

Inter-Office Communications

To Capt. Villalpando

Date 10-14-13

From Sgt. Riojas

Subject As Stated

On 10-14-13 at about 2030 hrs while doing security rounds in E-3 pod, I was notified that offender Taylor, Trent 1691384 needed to talk to a supervisor. Offender Taylor alleged that Officer Olmstead, M jabbed the food slot bar threw the open slot hitting him in his groin; She was picking up trays at the time. Offender Taylor was escorted to the infirmary and was screened by Nurse Carpenter, S. at 2100 hrs. He had no apparent injuries, was given an ice pack for 24 hrs and ibuprofen for 3 days. Offender Taylor was then escorted back to his cell in E-3 29 bunk.

Sgt R Riojas

SO-4

Ex.B Taylor - 150

ON 10/11/13 At my cell officer omstra came to my door to pick up trays she had my slot open and I asked her why she keeps tripping with me she was like your always crying and shit. I told her your just mad cause they took me off food loaf then she was like well I got you a major case so I told her fuck you, she said well That's why I go home and your still here every night That's when I told her don't be mad at me cause you got a bunch of little nigglets running around at home calling you bitch and jackin on you. That's when she jabbed the bean bar through the slot and hit me in the balls with it then she slammed my slot shut. "we've been having an ongoing problem all week she's been tripping with me" she after shutting the slot was like yeah I got your jacked slot and your nigglets right there



01691384

SUPERVISOR'S INVESTIGATION OF EMPLOYEE/OFFENDER INJURY

Last Name of Injured <i>Taylor</i>	First Name <i>Trent</i>	MI <i></i>	SSN/TDCJ# <i>1691384</i>	Date of Injury <i>10-14-13</i>
Time of Injury <i>JM</i>	Unit of Assignment <i></i>	Use of Force <input type="checkbox"/> No <input type="checkbox"/> Yes <i>UOF# M</i>	EAC# <i></i>	Date of Report <i>10-14-13</i>

Department of Assignment (Table 2) (Check ONLY One)

<input type="checkbox"/> 01 Administration*	<input type="checkbox"/> 08 Counselor*	<input type="checkbox"/> 15 Laundry/Necessities	<input type="checkbox"/> 22 Yard/Utility
<input type="checkbox"/> 02 Ag Administration*	<input type="checkbox"/> 09 Education-Windham*	<input type="checkbox"/> 16 Operations & Maintenance	<input type="checkbox"/> 23 Dog Kennel/Horse Barn
<input type="checkbox"/> 03 Chaplaincy*	<input type="checkbox"/> 10 Food Service	<input type="checkbox"/> 17 Parole*	<input type="checkbox"/> 24 Community Work Projects
<input type="checkbox"/> 04 Classification*	<input type="checkbox"/> 11 Grievance*	<input type="checkbox"/> 18 Security*	<input type="checkbox"/> 25 Field Force
<input type="checkbox"/> 05 Clerical*	<input type="checkbox"/> 12 Health Services*	<input type="checkbox"/> 19 Supply	<input checked="" type="checkbox"/> 26 Non-Occupational
<input type="checkbox"/> 06 Construction-Facilities	<input type="checkbox"/> 13 Industry	<input type="checkbox"/> 20 Training*	<input type="checkbox"/> 27 Recreational
<input type="checkbox"/> 07 Counsel Substitute*	<input type="checkbox"/> 14 Internal Affairs*	<input type="checkbox"/> 21 Transportation*	<input type="checkbox"/> 28 Support Services/Inmate

* Not Applicable for offenders — Department of Assignment for offenders is Non-occupational or Recreational unless injury occurs on-the-job.

Location of Injury (Table 3) (Check ONLY One)

<input type="checkbox"/> 01 Admin. Area/Office	<input type="checkbox"/> 15 Dining Hall/Kitchen	<input type="checkbox"/> 29 Laundry	<input type="checkbox"/> 43 Sidewalk
<input type="checkbox"/> 02 Backgate	<input type="checkbox"/> 16 Dormitory/BOQ	<input type="checkbox"/> 30 Library	<input type="checkbox"/> 44 Stable/Barn/Kennel
<input type="checkbox"/> 03 Barber Shop	<input type="checkbox"/> 17 Education Area/Classroom	<input type="checkbox"/> 31 Loading Dock/Porch	<input type="checkbox"/> 45 Steps/Stairway/Ladder
<input type="checkbox"/> 04 Boiler Room	<input type="checkbox"/> 18 Farm Shop	<input type="checkbox"/> 32 Mailroom	<input type="checkbox"/> 46 Supply/Necessities
<input type="checkbox"/> 05 Ad Seg Cell	<input type="checkbox"/> 19 Field	<input type="checkbox"/> 33 Maintenance Shop/Work Area	<input type="checkbox"/> 47 Swimming Pool Area
<input type="checkbox"/> 06 Gen Pop Cell	<input type="checkbox"/> 20 Firing Range	<input type="checkbox"/> 34 Nursery/Greenhouse	<input type="checkbox"/> 48 Toilet/Restroom
<input type="checkbox"/> 07 Hi-Sec Cell	<input type="checkbox"/> 21 Garage/Tractor Shed	<input type="checkbox"/> 35 Parking Lot	<input type="checkbox"/> 49 Transportation Vehicle (Bus/Van, etc.)
<input type="checkbox"/> 08 Cellblock Run	<input type="checkbox"/> 22 Grounds/Yard-Inside Fence	<input type="checkbox"/> 36 Picket Tower/Central Control	<input type="checkbox"/> 50 Turnout Area
<input type="checkbox"/> 09 Closet/Utility Room	<input type="checkbox"/> 23 Grounds/Yard-Outside Fence	<input type="checkbox"/> 37 Ramp/Elevator	<input type="checkbox"/> 51 Visitation
<input type="checkbox"/> 10 Clubhouse	<input type="checkbox"/> 24 Hallway/Walkway/Corridor/Foyer	<input type="checkbox"/> 38 Recreation Yard/Gym	<input type="checkbox"/> 52 Vocational Trades/Workshop
<input type="checkbox"/> 11 Commissary	<input type="checkbox"/> 25 Highway/Road/Street	<input type="checkbox"/> 39 Roof	<input type="checkbox"/> 53 Warehouse/Storage Area
<input type="checkbox"/> 12 Community Work Projects	<input type="checkbox"/> 26 Hospital/Clinic/Infirmary/Lab	<input type="checkbox"/> 40 Sallyport/Vestibule	
<input type="checkbox"/> 13 Craft Shop	<input type="checkbox"/> 27 Industrial Area	<input type="checkbox"/> 41 Salvage Area/Storage Yard	
<input type="checkbox"/> 14 Day Room/Lounge	<input type="checkbox"/> 28 Intake Area	<input type="checkbox"/> 42 Shower	

Cause of Injury (Table 5) (Check ONLY One)

<input type="checkbox"/> 01 Offender Assault	<input type="checkbox"/> 09 Contact with Chemicals	<input type="checkbox"/> 15 Insect Bite	<input checked="" type="checkbox"/> 21 Struck By
<input type="checkbox"/> 02 Intentionally Self-Inflicted	<input type="checkbox"/> 10 Contact with Electrical Current	<input type="checkbox"/> 16 Medical Condition	<input type="checkbox"/> 22 Vehicular
<input type="checkbox"/> 03 Employee on Employee Assault	<input type="checkbox"/> 11 Contact w/ Temperature Extreme	<input type="checkbox"/> 17 Over-Exertion	<input type="checkbox"/> 23 Weather Related
<input type="checkbox"/> 06 Animal Bite	<input type="checkbox"/> 12 Fall on Different Level	<input type="checkbox"/> 18 Environmental Hazards	
<input type="checkbox"/> 07 Bodily Reaction	<input type="checkbox"/> 13 Fall on Same Level	<input type="checkbox"/> 19 Slip/Trip, Not a Fall	
<input type="checkbox"/> 08 Caught In, On or Between	<input type="checkbox"/> 14 Horse Related	<input type="checkbox"/> 20 Struck Against	

Type of Injury (Table 6) (Check ONLY One)

<input type="checkbox"/> 01 Abrasion	<input type="checkbox"/> 09 Dislocation	<input type="checkbox"/> 17 Hemia	<input type="checkbox"/> 25 Shock
<input type="checkbox"/> 02 Amputation	<input type="checkbox"/> 10 Dizziness, Faintness	<input type="checkbox"/> 18 Infection	<input type="checkbox"/> 26 Sprain
<input type="checkbox"/> 03 Bite	<input type="checkbox"/> 11 Foreign Object in Eye	<input type="checkbox"/> 19 Inflammation	<input type="checkbox"/> 27 Sting
<input type="checkbox"/> 04 Bruise/Discoloration	<input type="checkbox"/> 12 Fracture	<input type="checkbox"/> 20 Internal Injuries	<input type="checkbox"/> 28 Strain
<input type="checkbox"/> 05 Burn	<input type="checkbox"/> 13 Frostbite	<input type="checkbox"/> 21 Nausea	<input type="checkbox"/> 30 Exposure to Communicable Disease
<input type="checkbox"/> 06 Contusion	<input type="checkbox"/> 14 Hearing Loss	<input type="checkbox"/> 22 Puncture	<input type="checkbox"/> 31 Closed Head Injury
<input type="checkbox"/> 07 Cut	<input type="checkbox"/> 15 Heart Attack/Chest Pains	<input type="checkbox"/> 23 Rupture	<input type="checkbox"/> 32 Open Head Injury
<input type="checkbox"/> 08 Dermatitis/Rash	<input type="checkbox"/> 16 Heat Exhaustion/Cramps/Stroke	<input type="checkbox"/> 24 Scratch	<input type="checkbox"/> 29 Other (Specify) _____

Injury Report

TO: Unit Risk Manager
FROM: Unit Medical Department

Employee Name _____ SS# (last 4) _____

Offender Name: Taylor, Trent TDCJ# W91384

Work Assignment: _____ Housing Assignment: E-3-29

Date and Time of Accident: 10-14-13 2:00

Date and Time Reported to Medical: 10-14-13 2:05

Type of Injury:

Work Related
 Non-Work Related
 Recreational
 Altercation
 Self-Mutilation

Severity of Injury NO apparent injury

Minor (one time treatment or follow-up visits the purpose of treatment/observations of minor scratches, cuts or 1st degree burns.)
 Serious (requires treatment eg. Sutures, fractures, splints, charcoal, gastric lavage)

How injury occurred: Offender was hit in groin with man bar by an officer. Clo pain to left testicle

Extent of Injury: NO apparent injuries

Treatment of Offender Injury: Ice pack, Tylenol x 3 days.

Y N Was Dermabond or steri-strips used in place of sutures?

Y N Medical Transport? If yes, when and where?

Health Care Provider's Signature: J. Carpenter, RN

RM004 Rev (09/10)

September 2010

Texas Department of Criminal Justice

Inter-Office Communications

To Captain Villalpando Date 10-21-13
From J. Carpenter, RN Subject Offender 11691384

Offender was seen 10-14-13 @ 2045 in infirmary after claiming he was hit in the groin with bar bat. After assessment, there were no visible injuries but due to the offender complaining of pain, an ice pack was provided to prevent swelling and help with pain and impropfen was also provided to assist with pain.

J. Carpenter, RN

Monford Unit - 1st Shift Building Turnout Roster

Date: 10/14/15 Day of Week: Monday		Supervisor Name: <u>Manzella</u>	Signature: <u>Manzella</u>		
		1st Hall	2nd Hall	1st Hall	2nd Hall
Priority 1 Positions	Officer's Name	Officer's Name	Priority 1 Positions	Officer's Name	Officer's Name
1 Central Control	Fineman Trina	Perez Samuel	47 RMF Wing 1 A	Reolina Ahngell	Duffy Phillip
2 Central Control	Perez Samuel	Fineman Trina	48 RMF Wing 2	Wylie Dennis	Devilia A
3 Mobile Patrol	Nash Shirley	Barrera Marvin	49 RMF Wing 3	Duffy Phillip	Wylie Dennis
4 Front Gate	Barrera Marvin	Nash Shirley	50 RMF Rover (Housing)	Kelly Marvin	Zinn Ricky
5 A1 Picket (Housing) 1 OT	Sanchez Jesse	Flores Edward	51 Hospital Control (Housing)	Johnson Mary	Harralson Charlotte
6 A2 Picket (Housing) 1 OT	Sessinger Michael	Kayenne Todd	52 Hospital Rover (Housing)	Sinclair Teresa	English John
7 A3 Picket (Housing)	Young Stephanie	Rutherford Richard	53 Hospital Rover (Housing)	English John	Sinclair Teresa
8 B1 Picket (Housing)			54 Backgate	Garcia Larry	Campus Albert
9 B2 Picket (Housing)			55 Kitchen	Anderson Paul	Thresh Michael
10 D1 Picket (Housing) 1C	Reyna Soleda	Cooper Pamela	56 Kitchen	Hernandez Eddie	Anderson Paul
11 D2 Picket (Housing) 1C	Enriquez Eddie	Enriquez Grace	57 Kitchen	Thresh Michael	Hernandez Eddie
12 D3 Picket (Housing) 1NF	Wriston Gary	Young Loretha	58 RMF CCTV Control	Harralson Charlotte	Johnson Mary
13 E1 Picket (Housing)			59 RMF Rover (Housing)	Zinn Ricky	Kelly Marvin
14 E2 Picket (Housing)			60 Infirmary	Concios Alipio	Garcia Larry
15 E3 Picket (Housing) 1NF	Villanueva Jonathan	Coleman Donald	61 Conifer Control (R&R)	Gomez David	Gonzales Frederick
16 A1 Rover (Housing) 1	Martinez Gilbert	Sanchez Jesse	62 Searcher's Desk	Gonzales Frederick	Gomez David
17 A1 Rover (Housing) 2	Ayala Jonathan	Martinez Gilbert	63 Utility	INF. Keller Christopher	Garcia Sonia
18 A1 Rover (Housing) 3	Figueroza Bobby	Ayala Jonathan	64 Utility	INF. Garcia Sonia	Kelly Christopher
19 A1 Rover (Housing) 4	Floris Edward	Gutierrez Bobby	Priority 2 Positions		
20 A2 Rover (Housing) 1 OT	Pineda-Delara	Session Michael	65 E3 Rover (Housing) 4		
21 A2 Rover (Housing) 3 & 4	Langwell Todd	Pineda-Delara	66 VOT Gar-6P 1st	Martinez Nathan	Hill Vickie
22 A3 Rover (Housing) 1 & 2	Seuna Angel	Ynnes Stephanie	67 Hospital Escort	Trevino Martinez	Martinez Nathan
23 A3 Rover (Housing) 3 & 4	Pedriguez Richard	Enriquez Grace	68 Hospital Escort	Camp Thomas	VOT Gar-6P
24 B1 Rover (Housing) 1 B	McClarty Nichole	Fedelin Alfredo	69 Hospital Escort	Ortizbin Joel	Camp Thomas
25 B1 Rover (Housing) 2	Sessions Annette	McCaslin Nichole	70 Hospital Escort	Aimonte Daniel	VOT Gar-6P
26 B1 Rover (Housing) 3	Deanda Ariana	Session Annette	71 Hospital Escort	Hill Judy	Ortizbin Joel
27 B1 Rover (Housing) 4	Fedelin Alfredo	Deanda Ariana	72 Hospital Escort		Armenta Janice
28 B2 Rover (Housing) 1	Rodriguez Deana	Cierros Sylvia	73 Hospital Escort		
29 B2 Rover (Housing) 2	B Kirby Norma	Rodriguez Deana	74 Kitchen		
30 B2 Rover (Housing) 3	Rangel Angel	Kirby Norma	75 Central Control		
31 B2 Rover (Housing) 4	Gonzales Sylvia	Rangel Angel	76 Backgate		
32 D1 Rover (Housing) 1 & 2	Thomas Clarence	Reyna Soleda	77 Infirmary		
33 D1 Rover (Housing) 3 & 4	Cooper Pamela	Thomas Clarence	78 Shakedown Escort		
34 D2 Rover (Housing) 1 & 2	Sánchez Jesse	Sánchez Norman	79 Shakedown Escort		
35 D2 Rover (Housing) 3 & 4	Enriquez Grace	Brienes Jesse	80 Shakedown Escort		
36 D3 Rover (Housing) 1 B	Perez Juan	Wriston Gary	81 Shakedown Escort		
37 D3 Rover (Housing) 2	Lewis William	Perez Juan	82 Shakedown Escort		
38 D3 Rover (Housing) 3	Hatchett Shirley	Lewis William	83 Shakedown Escort		
39 D3 Rover (Housing) 4	Young Loretha	Hatchett Shirley	84 Rotation		
40 E1 Rover (Housing) 1 & 2	Hatchett Ashley	Randolph Matthew	85 Rotation		
41 E1 Rover (Housing) 3 & 4	Randolph Matthew	Hatchett Ashley	86 Rotation		
42 E2 Rover (Housing) 1 & 2	Young Blendia	Gutierrez Rafael	87 Rotation		
43 E2 Rover (Housing) 3 & 4	Gutierrez Rafael	Young Blendia	88 Rotation		
44 E3 Rover (Housing) 1 A	Olmstead Melissa	Gutierrez Christopher	89 Rotation		
45 E3 Rover (Housing) 2	Perez Norma	Olmstead Melissa	90 Rotation		
46 E3 Rover (Housing) 3	Coleman Trinidad	Perez Norma	91 Rotation		
			92 Rotation		
			93 Rotation		

Note: Positions to be staffed on selected days as determined by the Warden. On days not staffed, document the position as "idle".

1st Hall 2nd Hall

Positions	Officer's Name	Officer's Name
Unit Entrance Shakedown		
Unit Entrance Shakedown		

Changes to the shift rosters may only be made pursuant to SS-08-05.

GRIEVANCE WORKSHEET
Restricted & Confidential

The following is to be completed by the investigating official. The investigating official must sign the bottom of the form.
(Attach Statements/Supporting Documentation if applicable.)

Summary of Fact Finding Activity:

**Suggested
Re**

OIG Case # _____ assigned.
 Insufficient evidence to open an OIG investigation.

Completed By: Signature L. L. M. Printed Name L. L. Mervin Title 10

(Note: This grievance is being processed in an effort to resolve a problem through the established procedures identified in BP-03.77 and AD-03.82. It is expressly prohibited to subject the grieving offender, other offenders, or staff to any form of reprisal for the use of these procedures. All such claims will be investigated by the Internal Affairs Division.)

OG-01 (Front) Rev. 9/99



Texas Department of Criminal Justice

STEP 2 **OFFENDER**
GRIEVANCE FORM

Offender Name: Trent Taylor TDCJ # 0169384
 Unit: Robertson Housing Assignment: I 71 B
 Unit where incident occurred: Montford.

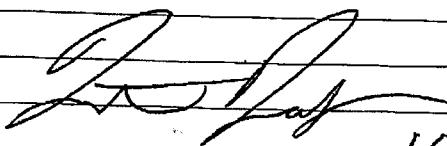
OFFICE USE ONLY

Grievance #: 2014027417
 UGI Recd Date: 12-09-13
 HQ Recd Date: DEC 16 2013
 Date Due: 01-13-14
 Grievance Code: 8151506
 Investigator ID#: I0794
 Extension Date: 02/17/14

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

I am not satisfied with grievance # 2014027417 because the response of warden stevens was my concerns were reviewed and noted. Staff Denies the Allegations that ~~we~~ I was placed in a contaminated cell. No evidence was found or presented to substantiate my allegations. 1st off in my step 1 I presented a lot of evidence to support my claim I will not reiterate what was already presented the main thing I will state is on sep 16 10 days after the initial incident the cell was finally shut down due to the contamination by Sgt. Morrow John Jr. It is clearly evident warden stevens lets his officers & all other officiating staff run amuck with no rules or guidelines, also he is not investigating grievances appropriately. My 8th amendment right was violated I am simply following the rules of the PLRA & of exhausting all required administrative remedies. I would like the seclusion cells shut down permanently. I was subjected to in adequate conditions of confinement.


0169384

Offender Signature:

01691384 Date: 12-9-13

Grievance Response:

Your claims have been reviewed. All offender cells are shaken down and checked for cleanliness before placing an offender in the cell. No new evidence was found to support your claims that you were placed in a contaminated cell with bodily fluids in it as this is a safety risk. No further action is warranted at this time.

Signature Authority:

WREN HOWARD

JAN 28 2014

Date:

Returned because: *Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible.*
- 3. Originals not submitted.*
- 4. Inappropriate/Excessive attachments.*
- 5. Malicious use of vulgar, indecent, or physically threatening language.
- 6. Inappropriate.*

CGO Staff Signature:

I-128-Back (Revised 11-2010)

CGO: G. Smith, are not submitted.

OFFICE USE ONLY

Initial Submission CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) Screened Improperly Submitted

Comments: _____

Date Returned to Offender: _____

2nd Submission CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) Screened Improperly Submitted

Comments: _____

Date Returned to Offender: _____

3rd Submission CGO Initials: _____

Date UGI Recd: _____

Date CGO Recd: _____

(check one) Screened Improperly Submitted

Comments: _____

Date Returned to Offender: _____

Appendix G



Texas Department of Criminal Justice
7F-71B DEC 05 2013
OFFENDER
STEP 1 GRIEVANCE FORM

Offender Name: TREN T. TAYLOR TDCJ # 1691384
 Unit: MONTFORD Housing Assignment: E-3-24 ✓
 Unit where incident occurred: MONTFORD Unit

OFFICE USE ONLY	
Grievance #:	<u>2014027417</u>
Date Received:	<u>OCT 16 2013</u>
Date Due:	<u>11-25-13</u>
Grievance Code:	<u>815, 506</u>
Investigator ID #:	<u>I-1910</u>
Extension Date:	
Date Retd to Offender:	<u>DEC 05 2013</u>

You must try to resolve your problem with a staff member appealing the results of a disciplinary hearing.
 Who did you talk to (name, title)? Sergeant Jones
 What was their response? He understands my situation because of the fecal matter ; He can't do anything about 9-6-13
 What action was taken? I was Taken To Seclusion

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate
ON Sep 6th 2013 at 6PM to 6am shift: The Following officers violated my 8th Amendment right to not be subjected to cruel and unusual punishment. Sergeant Ricardo Carter Officer Hunter, [The camera operator for sep 6-2013 Also B2-4 Row Officer Before midnight on Sep 6-2013 These names are unknown to me but are listed by TDCJ records] These statements are supported by the following evidence: The said officers took me to B2-4S Cell and stripped me naked and locked the door. upon their departure I heard Sergeant Carter use isn't that the cell with "poo" all over it. Somebody responded yes. They all began laughing. By these statements inside it showed all officers knowingly and willingly exposed me to a condition that posed a risk of serious damage to my Health. The said officers knew of and disregarded a substantial risk of serious harm to my health. This violates the 8th Amendment because it amounts to unnecessary and wanton infliction of pain Contrary to contemporary standards of decency. I stayed in that human waste contaminated cell for 3 days. The was fecal matter on the ceiling water faucet window and toilet. On Sep 9th I was removed on Sep 10th They tried to place me back in B2-4S cell on duty Sgt called Sgt unilane who refused to find me another cell. I refused and went to Seclusion. On Sep 13th I was taken back to B2-4S where I personally pointed out poor to officer Trevino and the other escorting officer. Sgt Jones then came and talked to me he told me he would personally clean the cell except the ceiling due to receiving permission to bring in a ladder was a hassle. I told him you wouldn't live in somebody else's room. He said you're right and I'm not mad at you for refusing but I got to put you in there. He contacted unilane who said write me up. I went back to Seclusion. On Sep 16 I was told I was moving back to B2-4S I refused. later I was taken to a cell across the hall, where I could see

OCT 14 2013 OCT 16 2013

1-127 Front (Revised 11-2010)

YOUR SIGNATURE IS REQUIRED ON BACK OF THIS FORM

(OVER)

Appendix F

A Sign on the door where Sgt. McCracken Red Tagged and shut down the cell due to contamination. Later a Trustee was brought in a full chemical suit. In order to clean up the cell. The ^{official} considered this inmates health to be more important than mine, because I was made to sleep bare naked in the cell while he was allowed a full chemical suit to clean it I stayed in that cell close to 72 hours. ~~After~~ 10 days later a Sgt who found out about the situation realized that cell was hazardous and shut it down.

Ex. Ray 0169138 OCT 14 2013
OCT 16 2013

Action Requested to resolve your Complaint.

I would like to speak with a representative out of the regional office to discuss my resolving terms.

Also I would like TDCJ to provide me with the names of the officers on B24 Row- an camera operator ^{for 46-13} ~~for 46-13~~

Offender Signature: *Ex. Ray #01691384*

Date: 10-14-13 OCT 14 2013

Grievance Response:

OCT 16 2013

YOU CONCERNs WERE REVIEWED AND NOTED. STAFF DENIES THE ALLEGATIONS THAT YOU WERE PLACED IN A CONTAMINATED CELL. NO EVIDENCE WAS FOUND OR PRESENTED TO SUBSTANTIATE YOUR ALLEGATIONS. NO ACTION WARRANTED.

Signature Authority: *Robert Stevens*

Robert Stevens, Warden

Date: 11-20-13

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: *D. Stafford / D. Scott* UGT

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY	
Initial Submission	UGI Initials: <i>UGT</i>
Grievance #:	<i>2014 035687</i> #1
Screening Criteria Used:	<i>599</i>
Date Recd from Offender:	<i>OCT 14 2013</i>
Date Returned to Offender:	<i>OCT 14 2013</i>
2 nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3 rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____

11/22/2013 10:47

325-548-9831

TDCJ ROBERTSON UNIT

E3-29 HN PAGE 03

Informal Resolution App?

Accusing Officer

Y N

Supervisor

Y N

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

OFFENSE REPORT

Case No. 201404529

Interpreter Required? M-3MR Rest?

PHD

Y N Y N (1) TDCJ-No: 1691384 (2) Offender: Taylor, Treat (3) Unit: JM(4) Housing Assign: E3-29 (5) Job Assignment: Dragon Mental Health(6) Offense Level, Code Title: Lvl 2 code 18.2; Lvl 2 code 24.0 REFUSAL TO OBEY ORDERS
TAMPERING WITH ALOCKING MECHANISM OR FOOD TRAY SLOT.OFFENSE DESCRIPTION: On 10-11-13 at 111 00 AM (7) date (8) time, and at E3-Cell 16 (9) Enter Specific LocationOffender Taylor, TreatTDCJ No. 1691384DO TAMPER WITH FOOD TRAY SLOT BY PLACING HIS ARM THROUGH THE SLOT. FURTHER MORE, WAS ORDERED BY OFFICER OLINSTEAD, CO-11, TO REMOVE HIS ARM FROM SLOT AND SAID OFFENDER REFUSED TO OBEY THE ORDER.(10) Additional Information: On DATE AND TIME ABOVE, WHILE MYSELF AND OFFICERCOLEMAN, CO-11, WERE RETRIEVING FOOD TRAYS AFTER LUNCH OFFENDER TAYLOR PUT HIS
ARM THROUGH THE FOOD TRAY SLOT. I ORDERED OFFENDER TAYLOR TO REMOVE HIS ARM
MULTIPLE TIMES TO CONTINUED RESENT. OFFENDER TAYLOR STATED HE WAS UPSET OVER
THE LENGTH OF TIME IT WAS TAKING FOR HIM TO GET HIS PROPERTY AFTER COMING
OFF OF A1-3 RAM. Offender was IDENTIFIED BY THE POD ROSTER AND BPD
LOCATORS. A SECURITY BEHAVIORAL NOTE WAS WRITTEN.

(11) Witnesses: Officer Coleman, CO-11 (Continue on an additional sheet if necessary)

(12) Accusing Officer/Employee: Printed Name/Rank M. Olmstead, CO-11

(13) Signature: [Signature] (14) Shift/Card 1/1 (15) Date 10-11-13 (16) Time 1135 AM

(17) Approving Supervisor's Printed Name: J. Gonzales, Lt. (18) Date 10/11/13

(19) Grading Official (Print): B Williams (20) Rank Major (21) Date 10-11-13

(22) Grade: (Circle One) IR UP MI MA (23) Justification to override Informal Resolution:

11/22/2013 10:47 325-548-9031

TDCJ ROBERTSON UNIT

PAGE 84

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PRELIMINARY INVESTIGATION REPORT

This report is to be completed on each Offense Report for review by the grading official. The purpose of this report is to obtain any other pertinent information about the incident prior to grading the Offense Report. The Preliminary Investigation should not be completed by the charging officer or a person involved in the incident.

Offender: Taylor, Tracy TDCJ No. 1671384

Date & Time Investigation started: 10/11/13 12:25 PM

1. ELEMENTS OF CHARGE. Does the offense description support the elements of each charge (the things that had to be done in order to commit an offense). If "no," have charging officer add needed information.

Offense Code 15.2 : Yes No Offense Code 15.1 : Yes No
Offense Code 24.0 : Yes No Offense Code 24.1 : Yes No

2. ADDITIONAL INFORMATION. Has the charging officer included supporting information or evidence to supplement the standardized pleading such as items listed below? (Write "Yes", "No", or "NA" [not applicable] by each item).

Yes a. listing other witnesses to the incident,
Yes b. documentary evidence, e.g., photographs of contraband, etc.
Yes c. additional information about the offense.

3. ACCUSED OFFENDER STATES THAT: (Printed and signed interpreter's name if applicable):

Offender stated "I was my legal mail".

4. ACCUSING OFFICER states that Officer - see with the food tray slot by Tracy has been out of the slot further more was ordered by Officer Almendro to remove his arms from the slot and the officer failed to obey the order.

5. WITNESS STATEMENTS (List employee or offender name and attach statements to report)

Officer Coleman see attached IOC

6. DOCUMENTATION. Documents reviewed (lay-ins, appointments, medical records, etc)
[] lay-ins, [] Roster, [] Medical Records, [] Picture, [] Other (List & attach to report)

Kestwing, B SA 10/11/13 12:28 PM
Name of Investigating Officer (Print) Rank Date & Time Investigation Completed

7. INFORMAL RESOLUTION was not appropriate or not possible because:

Officer's will not cooperate with the food tray slot

I. Gonzales LT 10/13/11
Approving Supervisor's Printed Name Rank Date



Texas Department of Criminal Justice
STEP 2 OFFENDER
GRIEVANCE FORM

Offender Name: Trent Taylor TDCJ # 01691384
 Unit: Montford Housing Assignment: E-3-29
 Unit where incident occurred: Montford unit

OFFICE USE ONLY	
Grievance #:	<u>2014013418</u>
UCI Recd Date:	<u>OCT 17 2013</u>
HQ Recd Date:	<u>OCT 21 2013</u>
Date Due:	<u>11-21</u>
Grievance Code:	<u>815, 506</u>
Investigator ID#:	<u>E63PT</u>
Extension Date:	<u>12-26-13</u>

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because... my resolution was never brought up, on 10-15-13 I received griev # 2014013418. warden Stevens says my concerns were reviewed and noted. I was not allowed to write my step 1 date to lockdown status A1-3Pm. so here I am making any and all corrections. I am not holding TDCJ responsible as a whole. I am holding Brad Livingston responsible in part though. Also I am holding officials Chevis Parker III, Raymundo Montez II, Sergeant Robert Rivas (Officer John Doe), Officer Francisco Diaz Jr (Officer Martinez CO?) responsible. Warden Stevens said in his resolution (STAFF INDICATED) He noted STAFFS Response Twice (Nurse (Creator Henderson?) I believe) 2:00pm-10:00pm D2-9-13-13 can testify I told her at 2:00pm I had to pee and was not hostile. She said tell the officers. I specifically stated to Sgt Rivas the drain was stopped up I am not a dog. he responded I know. They got treated better. (why was my evidence never indicated by the warden) I'm not worried about my concerns only the actual violations. I did went off the same staffs reports and indications that violated my 8th amendment rights. By exposing me to environmental health hazards or Toxic materials, why did he not go off of the documented evidence provided. Such as the video tape that shows 100% Sergeant Rivas accepted knowledge I had human waste in my floor by using a dry towel to spot dry with no chemicals and he admitted on video he dried it up for me. Also, on Tape Officer Montez and (John Doe) can't be seen forcing me in handcuffs in sewage/human waste, video shows I was not hostile or agitated. why was maintenance Red Tagging ? Shutting down the cell 5162 never mentioned. The said officers said Pee in the drain I had no choice it mixed with raw sewage and floors. By telling me to, they willingly exposed me to a condition that posed an unreasonable risk of serious damage to my health. I had to "clean" a sleeping area with my hand. These officials knew of and disregarded substantial risk of harm to my health. They showed deliberate indifference because human waste amounts to an unnecessary and wanton infliction of pain contrary to contemporary standards I-128 Front (Revised 11-2010) YOUR SIGNATURE IS REQUIRED ON BACK OF THIS FORM (OVER)

Appendix G

of decency. Camera Shows, I was left in sewage. Prison officials cannot expose Prisoners to sewage or human waste for significant periods of time. That violates the 8th amendment right. SGT Randy whitten can provide Testimony. He had to come take me out cause I had sewage everywhere. maintenance can provide Proof. cell 31-d2 had to be shutdown 9-13-13 am. The document on my door shows I never got a break. The nurse can give Testimony also the video from 9-12-13 of my vitals getting checked. I was made to sleep naked in sewage. I also request the name of (John Doe) who is on video be provided to me and be documented.

Offender Signature: 2nd Day #C1691384 Date: 10-16-13

Grievance Response:

Your complaint has been reviewed and noted. An appropriate investigation was conducted and addressed at the Unit Level. There has been no evidence found or presented to support your allegations against Sergeant Rojas. Review of your Step II grievance indicates no new evidence or information that would warrant further investigation into your allegations. No further action is warranted.

DEC 03 2013

Signature Authority: WREN HOWARD

Date: 12-3-13

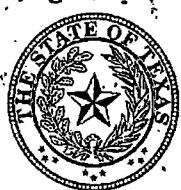
Returned because: *Resubmit this form when corrections are made.

- 1. Grievable time period has expired.
- 2. Illegible/Incomprehensible.*
- 3. Originals not submitted.*
- 4. Inappropriate/Excessive attachments.*
- 5. Malicious use of vulgar, indecent, or physically threatening language.
- 6. Inappropriate.*

CGO Staff Signature: _____

OFFICE USE ONLY

Initial Submission	CGO Initials:
Date UGI Recd:	_____
Date CGO Recd:	_____
(check one) <input type="checkbox"/> Screened	<input type="checkbox"/> Improperly Submitted
Comments: _____	
Date Returned to Offender: _____	
2 nd Submission	CGO Initials:
Date UGI Recd:	_____
Date CGO Recd:	_____
(check one) <input type="checkbox"/> Screened	<input type="checkbox"/> Improperly Submitted
Comments: _____	
Date Returned to Offender: _____	
3 rd Submission	CGO Initials:
Date UGI Recd:	_____
Date CGO Recd:	_____
(check one) <input type="checkbox"/> Screened	<input type="checkbox"/> Improperly Submitted
Comments: _____	
Date Returned to Offender: _____	



Texas Department of Criminal Justice

STEP 1 OFFENDER GRIEVANCE FORM

Offender Name: Taylor, Trent TDCJ # 1691384
 Unit: Montford Housing Assignment: A1-33
 Unit where incident occurred: Montford Unit

OFFICE USE ONLY	
Grievance #:	2014013418
Date Received:	SEP 23 2013
Date Due:	11-02-13
Grievance Code:	815, 506
Investigator ID #:	J 1910
Extension Date:	
Date Retd to Offender:	OCT 11 2013

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? det. Rojas When? 09/12/13

What was their response? He showed dilatent indifference to my situation

What action was taken? I was left in the cell, refused water and restroom.

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

I am writing this grievance on TDCJ as a whole. Because all of their officers I act "under color of state law" which holds TDCJ solely responsible for their officer's actions. On Sept. 12th at 6 pm I asked Off. Parker on D2 to allow me to please go use the restroom. I was told to Pee in the drain which is a violation of my rights as an inmate and a citizen. Det Rojas later came and I asked him the same thing. He refused and said use the drain. TDCJ policy says I will be given a restroom and water break every 2 hours while in seclusion. The log shows I had not been given a restroom break in over 24 hours. I held it as long as I could. I then felt a sharp pain in my bladder and was forced to urinate on myself. The drain was already over flowing. I was forced to use my hands to push raw sewage away from where I was lying down. Later while being recorded on camera for medical issues (it shows det Rojas) using a dry towel to spot dry raw sewage in my cell. No chemicals were applied. Then on camera I was forced to roll down in the remainder of the sewage. The next morning the officers that came on saw SEP 23 2013

I-127 Front (Revised 11-2010) YOUR SIGNATURE IS REQUIRED ON BACK OF THIS FORM

(OVER)

Appendix F

the hazardous waist, and moved me immediately. Maintenance had tagged the cell upon arrival due to the contamination. I was forced the previous night to sleep in the contamination. On Sept 14th I was forced to go to the infirmary due to bladder problems and a catheter was inserted in me due to not being able to go to the restroom. This was never a problem before the incident. This was a blatant disregard to my human rights. I believe I was physically tortured and this was cruel and unusual punishment in its purest form. Adria is not a virgin. SEP 23 2013

Action Requested to resolve your Complaint.

I would like to speak with someone from the Regional Office to discuss the terms of my resolution. SEP 23 2013

Offender Signature: *Aut Lgb #1691384* / ^{scrip of} *Woodall* Date: 09/20/13

Grievance Response:

YOUR CONCERNs WERE REVIEWED AND NOTED. STAFF INDICATED THAT DUE TO YOUR AGITATED AND AGGRESSIVE BEHAVIOR YOU WERE NOT ALLOWED OUT OF YOUR CELL FOR SAFETY AND SECURITY REASONS. ONCE YOU CALMED DOWN AND STOPPED THE AGGRESSIVE BEHAVIOR YOU WERE ALLOWED TO BE ESCORTED TO THE RESTROOM. STAFF DID OBSERVE THE DRAIN AREA AND INDICATE THAT IT WAS DRY, AND YOUR CELL WAS CLEAN. NO ACTION WARRANTED.

Signature Authority:

RS Robert Stevens, Warden

Date: *10/11/13*

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted.
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable.
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: _____

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

1-127 Back (Revised 11-2010)

OFFICE USE ONLY		
1 st Submission	UGI	Initials: _____
Grievance #:	_____	
Screening Criteria Used:	_____	
Date Rec'd from Offender:	_____	
Date Returned to Offender:	_____	
2 nd Submission	UGI	Initials: _____
Grievance #:	_____	
Screening Criteria Used:	_____	
Date Rec'd from Offender:	_____	
Date Returned to Offender:	_____	
3 rd Submission	UGI	Initials: _____
Grievance #:	_____	
Screening Criteria Used:	_____	
Date Rec'd from Offender:	_____	
Date Returned to Offender:	_____	

Appendix F

Unit: JM Staff Name: Sgt. Rijas | (NIGHT Grievance #: 2014013418 Date: 9-23-13
 Offender Name: TAYLOR, TRENT TDCJ #: 1691384 Housing Location: A1-33

102

In accordance with BP 03.77, you are required to participate in this investigation as noted. Address each allegation thoroughly. Do not respond with indefinite answers such as "I don't know" or "I have no knowledge of". If you have no knowledge, explain the reason why. (e.g., I was on vacation; I was not assigned there, etc.) Your answers are to be factual, professional, and complete. Do not include opinions or unrelated comments. Remember, the Executive Director, Office of the Inspector General (OIG), Attorney General's Office and State and Federal Court Officials may review your response. All grievances are confidential and may not be discussed between you and the offender or with any other individuals. You are expected to return this investigation within ten (10) working days of receipt. Additional time may be requested by contacting the grievance investigator. Sign and date the form in the designated locations when completed and return it to the Unit Grievance Office. If you were provided a narrative copy of the grievance, it must also be returned to the Unit Grievance Office. The grievance may not be duplicated or shared with the accused staff member.

Please Provide the Following Documents

<input type="checkbox"/> Participant(s) Statement	<input type="checkbox"/> Other
<input type="checkbox"/> Witness(es) Statement (signed)	<input type="checkbox"/> Staff or Offender Protection Investigation
<input type="checkbox"/> Activity Logs (Recreation, Shower, Feeding)	<input type="checkbox"/> Property Inventory Forms
<input type="checkbox"/> Shift Roster	<input type="checkbox"/> Property Logs
<input type="checkbox"/> Ingress/Egress Log	
<input type="checkbox"/> Property Confiscation Form	

ALLEGATIONS: See 'Summary of Issue' on reverse side

OFFENDER INTERVIEW: Offender interviews and written statements should be completed on a separate document (Inter-Office Communication (IOC), legal pad) and attached to the OG-01 that includes the offender's statement, name, TDCJ #, and date.

EMPLOYEE STATEMENT: ON THE NIGHT OF 9-2-13, WHEN I WENT TO D-2 TO SIGN MY PAPERWORK,

OFFENDER TAYLOR, TRENT 1691384 WAS BEATING ON THE DOOR AND WAS AGITATED, WHEN I TALKED TO HIM
I TALKED TO HIM AND HE COULD NOT COME OUT. I TALKED TO HIM TO STOP BEATING ON THE DOOR AND HE WOULD BE ALLOWED TO USE THE TOILET TO PEE. DON'T CALM
DOWN IF YOU USE THE PEE, IT WOULD BE CLEANED UP. AFTER THE OFFENDER CALMED DOWN THE OFFENDER
WAS PULLED OUT, AND HIS CELL WAS CLEANED. HIS PEE WAS LOCKED AT AND IT WAS DRY,
NO SIGN OF OVERFLOWING.

Robert Rijas
 PRINTED NAME

Robert Rijas
 SIGNATURE

9-26-13
 DATE

1 Nights
 SHIFT/DEPARTMENT

SUPERVISORS COMMENTS: AFTER REVIEWING THIS INCIDENT I CAN FIND
NO WRONG DOING ON THE PART OF SGT RIJAS

Lt. J. Matheny
 PRINTED NAME

LJ
 SIGNATURE

LJ
 RANK/TITLE

9-26-13
 DATE

1 Nights
 SHIFT/DEPARTMENT

2CSIUCR15/CSUC15 TDC UNIT CLASSIFICATION REVIEW CURRENT DATE: 09/23/13
 INMTCIDS/DST5682 HOUSING/JOB ASSIGNMENT HISTORY AND TIME: 12:03:01
 JM44/UC15 INMATE NAME: TAYLOR, TREVNT MICHAEL TDCNO: 01691384

HOUSING DATE	UNIT --ASGNMNT--	INM/HSG CUST	JOB ASGN AUTH	JOB DATE	JOB ASSIGNMENT	JOB COMMENT	AUTH
HOUSING COMMENT							
09/19/13	JM A-1	33	MH MH RA	09/19/13	UNASGN MENTAL HEALTH		RA
SGT ARISMENDEZ TTEAM		TW		09/16/13	UNASGN MENTAL HEALTH		TT
09/16/13	JM B-2	39	MH MH TT	09/16/13	UNASGN MENTAL HEALTH		RA
SEC MOVE/LT CUETO		TW		09/13/13	UNASGN MENTAL HEALTH		TT
09/16/13	JM B-2	45	MH MH RA	09/13/13	UNASGN MENTAL HEALTH		SV
SGT ARISMENDEZ TTEAM		TW		09/11/13	UNASGN MENTAL HEALTH		RA
09/13/13	JM A-3	51	MH MH TT	09/09/13	UNASGN MENTAL HEALTH		TT
SEC MOVE/LT STRAUGHAN		TW		09/06/13	UNASGN MENTAL HEALTH		TT
09/13/13	JM D-2	51	MH MH TT	09/06/13	UNASGN PATIENT		MED
REFUSED TO MOVE		TW		C D			
09/13/13	JM B-2	45	MH MH SV	09/04/13	PRE-HEARING DETENTION		TS
SGT VALLANCE TTEAM		TW					

MORE HOUSING/JOBs AVAILABLE
 ENTER THE NEXT TRANS CODE 02 AND/OR TDCNO
 PF1-HELP PF3-PREV PF4-CURR AND/OR SIDNO
 2CSIUCR15/CSUC15 TDC UNIT CLASSIFICATION REVIEW CURRENT DATE: 09/23/13
 INMTCIDS/DST5682 HOUSING/JOB ASSIGNMENT HISTORY AND TIME: 12:03:01
 JM44/UC15 INMATE NAME: TAYLOR, TREVNT MICHAEL TDCNO: 01691384

HOUSING DATE	UNIT --ASGNMNT--	INM/HSG CUST	JOB ASGN AUTH	JOB DATE	JOB ASSIGNMENT	JOB COMMENT	AUTH
HOUSING COMMENT							
09/13/13	JM D-2	51	MH MH TT	09/04/13	PRE-HEARING DETENTION		TS
REFUSED TO MOVE		TW		05/23/13	COUNTER ATTENDANT END		BC
09/13/13	JM B-2	45	MH MH SV	AL			
SGT VALLANCE TTEAM		TW		05/17/13	COUNTER ATTENDANT 1ST		BC
09/11/13	JM D-2	51	MH MH RA	DW			
SEC MOVE/SGT SWANNEY/LT MARTINEZ		SP TW		05/07/13	COOK 3RD		RA
09/11/13	JM B-2	45	MH MH RA	10/19/12	COOK 3RD		LP
SGT ARISMENDEZ TTEAM		TW		AL			
09/09/13	JM B-2	35	MH MH TT	10/16/12	KITCHEN (TEMP) 72 HR		EW
SGT VALLANCE TTEAM		TW		RT CLEARED FOR KITCHEN			
09/06/13	JM B-2	45	MH MH TT	09/21/12	UNASGN PENDING ASSIGNMEN UCC		
CRISIS MANAGEMENT		35		RT PEND KITCHEN			

MORE HOUSING/JOBs AVAILABLE
 ENTER THE NEXT TRANS CODE 02 AND/OR TDCNO
 PF1-HELP PF3-PREV PF4-CURR AND/OR SIDNO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

TRENT TAYLOR
TDCJ NO. 01691384

PLAINTIFF,

CAUSE NO. 5:14-CV-149-C

v.

ROBERT STEVENS, et al .,
DEFENDANTS, .

EXHIBIT C
PLAINTIFF'S MEDICAL RECORDS

AFFIDAVIT

THE STATE OF TEXAS

§

COUNTY OF WALKER

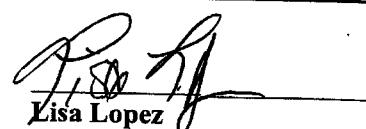
§

§

BEFORE ME, the undersigned authority, personally appeared Lisa Lopez, who, being by me duly sworn, deposed as follows:

"My name is Lisa Lopez, and I am over the age of eighteen (18), of sound mind, competent and capable of making this affidavit, and personally acquainted with the facts herein stated:

I am the Custodian of Records at The University of Texas Medical Branch - Correctional Managed Care, Health Services Archives and my office is located in Huntsville, Texas. In this capacity, I am the individual who can authenticate and certify as official, copies of medical records at the TDCJ Health Services Archives. Attached hereto are 386 pages of records, time period April 1, 2013 to January 31, 2015 from the medical records of Trent Taylor, TDCJ # 1691384. These said records are kept in the regular course of business by an employee or representative of UTMB-Correctional Managed with knowledge of the act, event, condition, opinion or diagnosis, recorded or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original medical records maintained by TDCJ Health Services Archives".

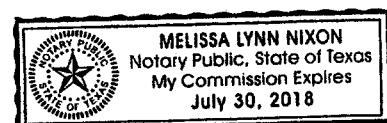


Lisa Lopez

State of Texas,
County of Walker

Before Me Melissa Nixon on this day personally appeared Lisa Lopez, known to me through her Texas Driver's License to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that she executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 23 day of July, A.D., 2015.



**CORRECTIONAL MANAGED CARE
NURSING CHART REVIEW / VERBAL ORDER NOTE**

Patient Name: TAYLOR, TRENT M **TDCJ#:** 1691384 **Date:** 09/14/2013 18:49 **Facility:** MONTFORD (JM)
Age: 26 year **Race:** W **Sex:** male
Most recent vitals from 9/14/2013: BP: 125 / 81 (Standing) ; Wt: ; Height: 69 In.; Pulse: 64 (Standing) ; Resp: 16 / min;
Temp: 98 (Left Ear) BMI:
Allergies: LIDOCAINE HCL

Patient Language: ENGLISH **Name of interpreter, if required:**

Current Medications:

Late note: 1800

Have offender collect UA, C&S Monday morning
Follow up in PCC for painful urination

Procedures Ordered:

Date Time	Description	Diagnosis	Comments	Special Instructions
9/16/2013 08:00	*URINALYSIS, W/DIPSTICK MICROSCOPIC EXAM ON POSITIVES [UA] HVCNDBBPBFFSYLESLDCKD	pain, urinary tract		

New Reminders Added:

MD/MLP-FOLLOW-UP VISIT Due on 09/17/2013 08:00(MD/MLP FOLLOW UP; S/P
WEEKEND VISIT PAINFUL URINATION AND ANURIA. CATH WITH 400CC RESIDUAL
URINE).

VORB S. Wilson, FNP/D. Fielder,RN

Electronically Signed by FIELDER, DEBRA D. R.N. on 09/14/2013.

Electronically Signed by WILSON, SUNDAY L. FNP on 09/16/2013.

##And No Others##

**CORRECTIONAL MANAGED CARE
CLINIC NOTES**

Patient Name: TAYLOR, TRENT M **TDCJ#:** 1691384 **Date:** 09/14/2013 18:05 **Facility:** MONTFORD (JM)
Age: 26 year **Race:** W **Sex:** male
Most recent vitals from 9/14/2013: BP: 125 / 81 (Standing) ; Wt: ; Height: 69 In.; Pulse: 64 (Standing) ; Resp: 16 / min; Temp: 98 (Left Ear) BMI:

CURRENT PEAK FLOWS: PF 1: ; PF 2: ; PF 3:

PRIOR PEAK FLOWS: PF1: ; PF 2: ; PF 3:

Allergies: LIDOCAINE HCL

Patient Language: ENGLISH **Name of interpreter, if required:**

Current Medications:

Today's Problem: pt to infirmary with c/o painful to urinate
09/14/2013 18:05

S: pt states he has not urinated since 9/13/13 @ appx 1800 & had bad sharp pain @ that time, also States he's drinking water & has had x2 cups of water today or appx 12 oz's"

O:

A: v/s 145/95, 62, 97.1, O2 100% RA, moderate bladder distention noted

Plan is as follows: provider notified, & new orders noted:
In & Out Cath done & appx 400cc clear light amber urine noted, pt returned to cell & no c/o @ this time

srnProcedures Ordered:

Date Time	Description	Diagnosis	Comments	Special Instructions
9/14/2013 06:23	NURSING LEVEL 2 COMPLETE VISIT	misc diagnosis (F)		

Electronically Signed by NASH, SUSAN R. L.V.N. on 09/14/2013.
Electronically Signed by FIELDER, DEBRA D. R.N. on 09/14/2013.
##And No Others##

**CORRECTIONAL MANAGED CARE
ADDENDUM NOTE**

**NAME: TAYLOR, TRENT M TDCJ #: 1691384 DATE/TIME: 09/14/2013 18:57
FACILITY: MONTFORD (JM)**

This was an ER visit. Correct Nursing Encounter Code is Level 4

Procedures Ordered:

Date Time	Description	Diagnosis	Comments	Special Instructions
9/14/2013 06:00	NURSING LEVEL 4 EMERGENCY VISIT (F)	pain, urinary tract		

Electronically Signed by FIELDER, DEBRA D. R.N. on 09/14/2013.
##And No Others##

EX.C Taylor - 207

Re: 1419
Ex. C

Date: 09/26/2013 19:53
From: MICHAELA THOMAS L.V.N.
Facility: MONTFORD PSYCHIATRIC (JM)

To: JM PSYCH - SOCIAL WORKER GROUP;
Subject: This O/P (# 1691384), housed on A-1, 3-row, is requesting assistance with his 3rd/final grievance. He states he's submitted two and it's been 7 days since the last one.
Thanks, M. Thomas, LVN
Re: TRENT TAYLOR

Ex. C Taylor - 225

Patient Name: TAYLOR, TRENT M

Patient DOB [REDACTED]

Patient ID: 2145002 Service Date: 10/14/2013 08:16:06

MONTFORD PSYCHIATRIC (JM)

Patient Name: TAYLOR, TRENT M
MRN: 1691384

=====
JM MH - CLOSE OBSERVATION
Entered On: 10/14/2013 23:21:04
Entered By: JACOPETTI, TONYA A. L.V.N.

S: No c/o voiced. O/A: Quiet in cell without noted distress. Respirations unlabored. P: Monitor on CO status.

JM MH - 24 HOUR CHART CHECK
Entered On: 10/14/2013 22:18:02
Entered By: JACOPETTI, TONYA A. L.V.N.

completed

JM MH - DAILY CARE / NOTES
Entered On: 10/14/2013 21:01:27
Entered By: PARRISH, CASSANDRA J. L.V.N.

Late entry: 1920 This offender stated to this writer " Ms. Nurse I need to be seen because that dayshift officer hit me in the groin with that bean bag because she started cursing me out and I cursed her back, she got mad and hit me". At 2100 This offender told security rank. This writer called the ER nurse reported this offender's complaint, and was ordered to bring offender to ER for evaluation, security on pod escorted this offender to ER without incident. Will await report and orders from the ER nurse.

JM MH - CLOSE OBSERVATION
Entered On: 10/14/2013 20:08:43
Entered By: PARRISH, CASSANDRA J. L.V.N.

OP seen cell side n/c voiced and no problems noted, OP did contract for safety, will continue to monitor on CO status.

JM MH - CLOSE OBSERVATION
Entered On: 10/14/2013 08:15:42
Entered By: DERLER, ANDREW C. L.V.N.

O/P AWAKE AND DENIES DISTRESS OR INTENTS OF SELF HARM AND AGREED TO CONTRACT FOR SAFETY.

**Correctional Managed Care
SOCIAL WORK CONTACTS / REFERRALS**

Patient Name: TAYLOR, TRENT M **TDCJ#:** 1691384 **Date:** 09/20/2013 17:19

Facility: MONTFORD PSYCHIATRIC (JM) **Room:** A13333

Age: 26 year **Race:** W **Sex:** male

Most recent vitals from 9/14/2013: BP: 125 / 81 (Standing) ; Wt: ; Height: 69 In.; Pulse: 64 (Standing) ; Resp: 16 / min; Temp: 98 (Left Ear) BMI:

Allergies: LIDOCAINE HCL

Patient Language: ENGLISH **Name of interpreter, if required:**

Current Medications:

Orientation to SPP/A1 3 Row

SO) The patient was oriented to The Suicide Prevention Program goals and guidelines. He stated he is not a psych patient. He reports he ate pills so that he did not get more time for having free world drugs. He reported that the pills were Loritab and when he began feeling sick he told staff what he had done and that he needed to go to the hospital. He was also assisted in writing a grievance. The patient had questions about both the program and the unit. He was told that JTM is not a unit of assignment and our goal is to return patient's to their least restrictive environment.

AP) Taylor was verbal and cooperative. Mood and Affect were euthymic. Thought Process was goal directed. Ideation of Suicide and Homicide were denied. Continue treatment.

Electronically Signed by WOODALL, JANIS S. LCSW on 09/20/2013.
##And No Others##

**Correctional Managed Care
MENTAL HEALTH INPATIENT
NURSING NOTE**

Name: TAYLOR, TRENT M **TDCJ#:** 1691384 **Date:** 09/19/2013 10:43

Facility: MONTFORD PSYCHIATRIC (JM) **Room/Bed:** B22539

Age: 26 year **Race:** W **Sex:** male **Most recent vitals from 9/14/2013:** BP: 125 / 81 (Standing) ; Wt: ; Height: 69

In.; Pulse: 64 (Standing) ; Resp: 16 / min; Temp: 98 (Left Ear) BMI:

Allergies: LIDOCAINE HCL

Current Medications:

Patient Language: ENGLISH **Name of interpreter, if required:**

O/P is requesting discharge. O/P has signed HSM 82.

Electronically Signed by MANKINS, OPAL M. R.N. on 09/19/2013.

Electronically Signed by MCDONALD, MICHAEL A. PA on 09/23/2013.

##And No Others##

Ex.C Taylor - 336

**Correctional Managed Care
MENTAL HEALTH INPATIENT
PSYCHIATRIC FOLLOW-UP**

Name: TAYLOR, TRENT M **TDCJ#:** 1691384 **Date:** 09/16/2013 10:31
Facility: MONTFORD PSYCHIATRIC (JM) **Room:** A3S151

Age: 26 year **Sex:** male **Race:** W
Most recent vitals from 9/14/2013: BP: 125 / 81 (Standing) ; Wt: ; Height: 69 In.; Pulse: 64 (Standing) ; Resp: 16 / min; Temp: 98 (Left Ear) BMI:

Allergies: LIDOCAINE HCL
Current Medications:

Patient Language: ENGLISH **Name of interpreter, if required:**

O/P seen at seclusion cellside for review of SP status. Pt reports he is not suicidal or homicidal and contracts for safety. He states "I was refusing housing in cell 45 because it had shit on the walls and ceiling". "They keep trying to put me back in that cell and I wrote a grievance". He states he has not been suicidal since he came in about 1 1/2 to 2 weeks ago. He reports he just says he is suicidal because he does not want to go in that cell.

O: Alert and cooperative. He denies SI or HI. His reason to live "I like living sometimes it is tough but I enjoy life". He contracts for safety. O/P has not been truly suicidal and has been manipulating for housing.

P: DC SP and seclusion.
Property per level.
Regular tray.
If he goes back to B2 property and diet per B2

Typist: CLINE, JONI J. PA

Electronically Signed by CLINE, JONI J. PA on 09/16/2013.

Electronically Signed by HANRETTA, ALLAN T. M.D. on 09/16/2013.

##And No Others##

Correctional Managed Care
SECLUSION / RESTRAINT NOTATION

Patient Name: **TAYLOR, TRENT M** TDCJ#: **1691384** Date: **09/14/2013 19:03**

Facility: **MONTFORD PSYCHIATRIC (JM)** Room/Bed: **A3S151**

Age: 26 year Race: W Sex: male

Most recent vitals from 9/14/2013: BP: 125 / 81 (Standing) ; Wt: ; Height: 69 In.; Pulse: 64 (Standing) ; Resp: 16 / min; Temp: 98 (Left Ear) BMI:

Allergies: **LIDOCAINE HCL**

Patient Language: ENGLISH Name of interpreter, if required:

Current Medications:

Observed standing at cell side door, naked. Covered up upon request, calm, gives appropriate eye contact, no evidence of self injury observed. Denies discomfort r/t urinary retention, however, states, "That was probably the most uncomfortable experience I have ever had." Verbally contracts for safety, denies SID/HID and possession of any object(s) w/ which to inflict harm to self/others. Drank 180mL of water, denies need for bathroom break at this time. Continue seclusion w/ SP per order.

Electronically Signed by ORR, STEPHANIE G. L.V.N. on 09/14/2013.
##And No Others##

Correctional Managed Care
SECLUSION / RESTRAINT NOTATION

Patient Name: **TAYLOR, TRENT M TDCJ#:** **1691384** Date: **09/14/2013 17:05**

Facility: **MONTFORD PSYCHIATRIC (JM)** Room/Bed: **A3S151**

Age: 26 year Race: W Sex: male

Most recent vitals from 9/14/2013: BP: 125 / 81 (Standing) ; Wt: ; Height: 69 In.; Pulse: 64 (Standing) ; Resp: 16 / min; Temp: 98 (Left Ear) BMI:

Allergies: **LIDOCAINE HCL**

Patient Language: ENGLISH Name of interpreter, if required:

Current Medications:

Late entry for 17:00

Observed standing at cell side door, wrapped at waist w/ intact suicide blanket. Calm, gives appropriate eye contact, no evidence of self harm observed. Received evening meal, refused fluids per security. C/o inability to void, assessed, call placed to ER, awaiting response, CN notified. Verbally contracts for safety, denies SID/HID and possession of any object(s) w/ which to inflict harm to self/others. Continue seclusion w/ SP per order.

Electronically Signed by ORR, STEPHANIE G. L.V.N. on 09/14/2013.
##And No Others##

Patient Name: TAYLOR, TREN M

Patient DOB: [REDACTED]

Patient ID: 2145002 Service Date: 09/14/2013 16:49:05

MONTFORD PSYCHIATRIC (JM)

Patient Name: TAYLOR, TREN M
MRN: 1691384

=====
JM MH - DAILY CARE / NOTES
Entered On: 09/14/2013 18:27:01
Entered By: ORR, STEPHANIE G. L.V.N.

Offender escorted to infirmary at 17:50 w/ security and nursing. In and out catheterization w/ 400mL of light amber urine returned. Returned to pod, approximately 18:20, placed in seclusion cell # 51 w/o incident. Continue current plan of care.

JM MH - DAILY CARE / NOTES
Entered On: 09/14/2013 16:45:48
Entered By: ORR, STEPHANIE G. L.V.N.

O/P reports he has not voided since 18:00 on 09/13/13. C/o pain when he tries to void, denies hematuria. Vital signs obtained: BP: 125/81
P: 64; RR: 16; T: 98.0 via automated cuff and tympanic thermometer. Urinary bladder tender to palpation, distended. Report called to ER nurse, who states she will call back. Continue current plan of care.

Correctional Managed Care
SECLUSION / RESTRAINT NOTATION

Patient Name: **TAYLOR, TRENT M** TDCJ#: **1691384** Date: **09/13/2013 18:35**

Facility: **MONTFORD PSYCHIATRIC (JM)** Room/Bed: **A3S151**

Age: 25 year Race: W Sex: male

Most recent vitals from 9/6/2013: BP: 142 / 80 (Sitting) ; Wt: 145 Lbs.; Height: 69 In.; Pulse: 58 (Sitting) ; Resp: 20 / min; Temp: 97 (Oral) BMI: 21

Allergies: **LIDOCAINE HCL**

Patient Language: **ENGLISH** Name of interpreter, if required:

Current Medications:

Late entry for 1700

Offender is awake, alert, no s/s of acute distress observed. Offender is stating "I want to fill out a discharge"
Contracts for safety at this time. Will continue to monitor current plan of care.

Electronically Signed by SHERWOOD, LISA A. L.V.N. on 09/13/2013.
##And No Others##

Correctional Managed Care
SECLUSION / RESTRAINT NOTATION

Patient Name: **TAYLOR, TRENT M** TDCJ#: **1691384** Date: **09/13/2013 15:17**

Facility: **MONTFORD PSYCHIATRIC (JM)** Room/Bed: **A3S151**

Age: 25 year Race: W Sex: male

Most recent vitals from 9/6/2013: BP: 142 / 80 (Sitting) ; Wt: 145 Lbs.; Height: 69 In.; Pulse: 58 (Sitting) ; Resp: 20 / min; Temp: 97 (Oral) BMI: 21

Allergies: **LIDOCAINE HCL**

Patient Language: **ENGLISH** Name of interpreter, if required: _____

Current Medications:

Late entry for 1430: Offender seen cell side in seclusion. Intact suicide blanket wrapped around waist. Parameters given to O/P about seclusion order. O/P stated he did understand. When asked about feeling suicidal, O/P laughed and stated that he didn't want to move to a cell that was dirty and that "I never said that I was suicidal." Denied HID. Contracted for safety. No acute distress noted at this time. Denied need for bathroom/water. Will continue with plan of care.

Electronically Signed by WELLENDORF, VANESSA M. R.N. on 09/13/2013.

##And No Others##

Correctional Managed Care
SECLUSION / RESTRAINT NOTATION

Patient Name: **TAYLOR, TRENT M** TDCJ#: **1691384** Date: **09/13/2013 14:20**

Facility: **MONTFORD PSYCHIATRIC (JM)** Room/Bed: **B22845**

Age: 25 year Race: W Sex: male

Most recent vitals from 9/6/2013: BP: 142 / 80 (Sitting) ; Wt: 145 Lbs.; Height: 69 In.; Pulse: 58 (Sitting) ; Resp: 20 / min; Temp: 97 (Oral) BMI: 21

Allergies: **LIDOCAINE HCL**

Patient Language: ENGLISH Name of interpreter, if required:

Current Medications:

09-13-13 1400 Offender was received to B2 from D2-51. Upon arriving to B2 he refused housing and then stated that he was suicidal. Mr McDonald PA was on B2 and issued verbal orders for seclusion/sp. The offender will be moved to A3-51 due to no available seclusion cells on B2. The offender stated he would not walk to A3, but changed his mind after sgt Jones spoke with him. Report was called to the A3 nurse, Ms Sherwood. The pod RN was on the pod and aware of the seclusion order.

Electronically Signed by JONES, DENNIS R. L.V.N. on 09/13/2013.

##And No Others##

Patient Name: TAYLOR, TRENT M

Patient DOB: [REDACTED]

Patient ID: 2145002 Service Date: 09/13/2013 01:52:58

MONTFORD PSYCHIATRIC (JM)

Patient Name: TAYLOR, TRENT M
MRN: 1691384

=====
JM MH - 24 HOUR CHART CHECK
Entered On: 09/13/2013 22:38:05
Entered By: MCCLESKEY, LAURA B. L.V.N.

COMPLETED

JM MH - DAILY CARE / NOTES
Entered On: 09/13/2013 13:59:13
Entered By: HENDERSON, CREASTER J. L.V.N.

Offender moved from D 2 # 51 to B 2 # 45, ambulated with handcuffs intact and Security escort. OP is alert, calm and responsive with good eye contact. No acute distress or complaints voiced. OP will continue current plan of care.

JM MH - DAILY CARE / NOTES
Entered On: 09/13/2013 07:35:25
Entered By: PEIKERT, DAUN E. L.V.N.

Offender pt. seen lying on floor wrapped up in intact suicide blanket, denies need for water or need for use of the toilet at this time, N/C voiced, NAD noted at this time. Cont. to monitor in seclusion until moved to appropriate cell.

JM MH - DAILY CARE / NOTES
Entered On: 09/13/2013 01:51:45
Entered By: RAMIREZ, IRMA L.V.N.

OFFENDER REMAINS HOUSING IN SECLUSION PER SECURITY, DENIES ANY PROBLEMS AT THIS TIME. CONTINUE TO MONITOR

Scanned by LONGORIA, PETRA H. in facility MONTFORD PSYCHIATRIC (JM) on 09/16/2013 10:42

Correctional Managed Care
SECURITY NOTES

Name: TAYLOR, TRENT M TDCJ# 1691384
Facility MONTFORD PSYCHIATRIC (JM) Room D2S151

Security Notes

Date	Time	Note	Signature
9-13-13	0800	Refused AM	McCraw
9-13-13	1020	Refused Chow	McCraw
9-13-13	1040	Shower	McCraw
9-13-13	1240	Shower	McCraw

1 of 1

X

#

Ex.C Taylor - 389

Patient Name: TAYLOR, TRENT M

Patient DOB [REDACTED]

Patient ID: 2145002 Service Date: 09/12/2013 13:02:41

MONTFORD PSYCHIATRIC (JM)

Patient Name: TAYLOR, TRENT M
MRN: 1691384

=====
JM MH - 24 HOUR CHART CHECK
Entered On: 09/12/2013 22:20:17
Entered By: RAMIREZ, IRMA L.V.N.

completed

JM MH - DAILY CARE / NOTES
Entered On: 09/12/2013 21:21:20
Entered By: HENDERSON, CREAMSTER J. L.V.N.

Offender seen in Seclusion cell # 51 for housing only. OP was alert, calm and responsive with good eye contact. OP being assessed due to banging on the door for extended period of time, approximately an hour, asking for BRP. OP complained of chest pain at mid-sternal and slightly left and level of pain at 5/10. No reaction or flex response to palpation of site. OP skin is warm, dry and pink. No cyanosis or discoloration noted. No diaphoresis noted. OP is ambulating with a steady gait in Seclusion space. No facial expression without indication of visible distress at the time. OP states that he had a recent hospital stay at Hendricks for 3 days due to OD of Lortab, while at the Robertson Unit. OP Heart rate RRR at 92 and BS audible X 4 quadrants. Lungs auscultated and clear bilaterally. Vital signs: T 97.8 P96 R 20 BP 144/97 O2 sats 98% RA. E.R. Nurse notified and gave OP ASA 81 mg. and Almalag 2 p.o. Instructed to recheck OP, and if any further complaints voiced then to go to the E.R for an EKG. OP felt better when rechecked. OP sats were 98 % RA., and OP denied any further chest pain. OP will continue current plan of care in Seclusion cell, will go for an EKG PRN.

REVIEW PROVIDER ORDERS
Entered On: 09/12/2013 13:00:22
Entered By: PEIKERT, DAUN E. L.V.N.

Order noted, security notified that seclusion and SP have been DC'd, return to a cell, may have clothes, bedding and regular tray when moves to a regular cell. Cont. to monitor in seclusion until moved to appropriate cell.

**Correctional Managed Care
MENTAL HEALTH INPATIENT
PSYCHIATRIC FOLLOW-UP**

Name: TAYLOR, TRENT M **TDCJ#:** 1691384 **Date:** 09/12/2013 12:47
Facility: MONTFORD PSYCHIATRIC (JM) **Room:** D2S151

Age: 25 year **Sex:** male **Race:** W
Most recent vitals from 9/6/2013: BP: 142 / 80 (Sitting) ; Wt: 145 Lbs.; Height: 69 In.; Pulse: 58 (Sitting) ; Resp: 20 / min;
Temp: 97 (Oral) BMI: 21

Allergies: LIDOCAINE HCL
Current Medications:

Patient Language: ENGLISH **Name of interpreter, if required:**

Pt. was seen today at seclusion cell side to review for his sp status. Pt. denies any si and is able to contract for safety.
A-Not suicidal now.

A-D/C sp and seclusion.

Return to a cell.

Clothes, bedding and regular tray.

Typist: KHANDHERIA, PRIYA M.D.

Electronically Signed by KHANDHERIA, PRIYA M.D. on 09/12/2013.
##And No Others##

Correctional Managed Care
SECLUSION / RESTRAINT NOTATION

Patient Name: **TAYLOR, TRENT M** TDCJ#: **1691384** Date: **09/12/2013 00:17**

Facility: **MONTFORD PSYCHIATRIC (JM)** Room/Bed: **D2S151**

Age: 25 year Race: W Sex: male

Most recent vitals from 9/6/2013: BP: 142 / 80 (Sitting) ; Wt: 145 Lbs.; Height: 69 In.; Pulse: 58 (Sitting) ; Resp: 20 / min; Temp: 97 (Oral) BMI: 21

Allergies: **LIDOCAINE HCL**

Patient Language: ENGLISH Name of interpreter, if required:

Current Medications:

Entry for - 09/11/2013 - 23:00 -

O/P was seen in Seclusion cell - 51. He was wrapped in his suicide blanket lying on his right side in fetal position on cell floor along wall at left of cell door. O/P responded to his name by looking out of his blanket; eye contact good affect reactive with clear speech. I asked O/P if he was alright and would he contract for safety. O/P stared at me with a puzzled look on his face. I reviewed what contracting for safety meant and repeated my question. O/P smiled and said "I never said I was suicidal, I am not suicidal, and all I did was refuse housing." Plan: Monitor O/P on Suicide Precautions.

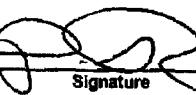
Electronically Signed by HARMES, MARION A. R.N. on 09/12/2013.
##And No Others##

Scanned by LONGORIA, PETRA H. in facility MONTFORD PSYCHIATRIC (JM) on 09/13/2013 09:26

Z
Correctional Managed Care
SECURITY NOTES

Name TAYLOR, TRENT M TDCJ# 1691384
Facility MONTFORD PSYCHIATRIC (JM) Room D2S151

Security Notes

9-12-13	0400	Refused water	
9-12-13	0500	" refused "	
9-12-13	0600	refused all	
9-12-13	0645	Nurse Rounds	
9-12-13	0800	2/3 refused water and restroom	
9-12-13	1100	refused water and restroom	
9-12-13	1200	refused all	
9-12-13	1400	Ref. H ₂ O & toilet	
9-12-13	1600	requested H ₂ O	
9-12-13	1615	refused (1)	
9-12-13	1800	refused all	
9-12-13	1900	bathroom	
9-12-13	2100	refused all	
9-12-13	2355	refused all	

Correctional Managed Care
SECLUSION / RESTRAINT NOTATION

Patient Name: **TAYLOR, TRENT M** TDCJ#: **1691384** Date: **09/11/2013 15:53**

Facility: **MONTFORD PSYCHIATRIC (JM)** Room/Bed: **D2S151**

Age: 25 year Race: W Sex: male

Most recent vitals from 9/6/2013: BP: 142 / 80 (Sitting) ; Wt: 145 Lbs.; Height: 69 In.; Pulse: 58 (Sitting) ; Resp: 20 / min;

Temp: 97 (Oral) BMI: 21

Allergies: **LIDOCAINE HCL**

Patient Language: **ENGLISH** Name of interpreter, if required:

Current Medications:

Late entry for 1445: Offender seen cell side in seclusion. Parameters given to O/P. Denied SID/HID and did contract for safety. O/P stated "it was a housing issue" as to why he is in seclusion. Intact suicide blanket wrapped around waist.Denied need for bathroom or water. Will continue with plan of care.

Electronically Signed by WELLENDORF, VANESSA M. R.N. on 09/11/2013.

##And No Others##

Correctional Managed Care
SECLUSION / RESTRAINT NOTATION

Patient Name: **TAYLOR, TRENT M** TDCJ#: **1691384** Date: **09/11/2013 14:22**

Facility: **MONTFORD PSYCHIATRIC (JM)** Room/Bed: **D2S151**

Age: 25 year Race: W Sex: male

Most recent vitals from 9/6/2013: BP: 142 / 80 (Sitting) ; Wt: 145 Lbs.; Height: 69 In.; Pulse: 58 (Sitting) ; Resp: 20 / min;

Temp: 97 (Oral) BMI: 21

Allergies: **LIDOCAINE HCL**

Patient Language: **ENGLISH** Name of interpreter, if required:

Current Medications:

Offender Moved from B 2 # 35 to D 2 # 51 Seclusion cell on Sp status, ambulated with intact handcuffs and Suicide Blanket. OP was alert, calm and responsive with good eye contact. No acute distress at the time. Oral check done, nothing found and denies having any weapon. OP denies having Suicide Ideations, any intention to self harm and is able to contract for safety. OP will continue Seclusion cell on SP status and current plan of care.

Electronically Signed by HENDERSON, CREASTER J. L.V.N. on 09/11/2013.
##And No Others##

Correctional Managed Care
SECLUSION / RESTRAINT NOTATION

Patient Name: **TAYLOR, TRENT M** TDCJ#: **1691384** Date: **09/11/2013 13:59**

Facility: **MONTFORD PSYCHIATRIC (JM)** Room/Bed: **D2S151**

Age: 25 year Race: W Sex: male

Most recent vitals from 9/6/2013: BP: 142 / 80 (Sitting) ; Wt: 145 Lbs.; Height: 69 In.; Pulse: 58 (Sitting) ; Resp: 20 / min; Temp: 97 (Oral) BMI: 21

Allergies: **LIDOCAINE HCL**

Patient Language: **ENGLISH** Name of interpreter, if required:

Current Medications:

09-11-13 1350 This offender was to me from B2-35 to B2-45. Upon learning this, he stated he was suicidal if he had to move. Verbal intervention failed. Mr McDonald PA was contacted. See Orders. The offender will be moved to D2-51 due to no available seclusion cell on B2.

Electronically Signed by JONES, DENNIS R. L.V.N. on 09/11/2013.
##And No Others##

Scanned by LONGORIA, PETRA H. in facility MONTFORD PSYCHIATRIC (JM) on 09/18/2013 10:41

- 1 At the time the patient is placed in crisis management, mental health observation, seclusion or restraint, an entry must be made in the health record that includes the following information
 - A Reason and authority
 - B Duration of order
 - 1 Inpatient Crisis Management-not to exceed 3 working days
 - 2 Outpatient mental health observation-not to exceed 72 hours
 - 3 Seclusion-not to exceed 12 hours
 - 4 Restraint-not to exceed 12 hours
 - C Information given to the patient regarding reason for placement, duration of order and behavior required for release
 - D Items allowed in room
- 2 The top half of the form must be completed by a psychiatrist/psychiatric mid-level practitioner/nurse or mental health professional and includes
 - A Patient name
 - B TDCJ number
 - C Name of facility
 - D Current date
 - E Type of observation (crisis management, mental health observation, seclusion, restraint)
 - F Date and time begun
 - G Items allowed-Personal legal materials are permitted upon request except with appropriate documented clinical justification. Suicide blankets may not be withheld without clearly documented clinical justification
- 3 Visual checks must be recorded on the checklist every 15 minutes (30 minutes for outpatient mental health observation). Each staff member must write his/her name and initials at the bottom of the form. Visual checks are documented by entering both the code number(s) which best describes the patient's behavior and the observer's initials in the blank beside the appropriate time
- 4 Completed forms are forwarded to the Medical Records Department to be filed in the health record

TEXAS DEPARTMENT OF CRIMINAL JUSTICE - MENTAL HEALTH OBSERVATION CHECKLIST

D2/51
SP

NAME: TAYLOR, TRENT M TDCJ# 1691384 UNIT: MONTFORD PSYCHIATRIC (JM) DATE: 9/13/2013

12:00AM

CHECK THE APPROPRIATE TYPE

 CRISIS MANAGEMENT MENTAL HEALTH OBSERVATION SECLUSION RESTRAINT

ITEMS ALLOWED (Check appropriate box(es))

 CLOTHING UNDERGARMENTS ONLY SUICIDE BLANKET MATTRESS REGULAR TRAY PAPER TRAY
 SACK LUNCH

CODE	EXPLANATION	CODE/INITIALS	TIME OF VISUAL CHECK	CODE/INITIALS
1	Beating on door/wall	0000	11 11	1600
2	Yelling, screaming	0015	11 11	1615
3	Crying	0030	11 11	1630
4	Laughing	0045	11 11	1645
5	Singing	0100	11 11	1700
6	Mumbling	0115	11 11	1715
7	Talking to self	0130	11 11	1730
8	Talking to others	0145	11 11	1745
9	Standing still	0200	11 11	1800
10	Walking	0215	11 11	1815
11	Sitting or lying	0230	11 11	1830
12	Quiet	0245	11 11	1845
13	Sleeping	0300	11 11	1900
14	Meals/Fluids	0315	11 11	1915
15	Bath/shower	0330	11 11	1930
16	Toilet	0345	11 11	1945
17	Restraints loosened	0400	11 11	2000
18	Range of motion	0415	11 11	2015
19	Out-of-cell	0430	11 11	2030
20	Nursing Rounds	0445	11 11	2045
21		0500	11 11	2100
		0515	11 11	2115
		0530	11 11	2130
		0545	11 11	2145
		0600	11 11	2200
		0615	11 11	2215
		0630	11 11	2230
		0645	11 11	2245
		0700	11 11	2300
		0715	11 11	2315
		0730	11 11	2330
		0745	11 11	2345

HSP-5 (Rev 4/02)

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#

EX.C Taylor - 525

Scanned by LONGDRIVE-2474 in facility MONTFORD PSYCHIATRIC (JM) on 09/13/2013 09:27. An entry must be made in the health record that includes the following information

A Reason and authority
 B Duration of order
 1 Inpatient Crisis Management-not to exceed 3 working days
 2 Outpatient mental health observation-not to exceed 72 hours
 3 Seclusion-not to exceed 12 hours
 4 Restraint-not to exceed 12 hours
 C Information given to the patient regarding reason for placement, duration of order and behavior required for release
 D Items allowed in room
 2 The top half of the form must be completed by a psychiatrist/psychiatric mid-level practitioner/nurse or mental health professional and includes
 A Patient name
 B TDCJ number
 C Name of facility
 D Current date
 E Type of observation (crisis management, mental health observation, seclusion, restraint)
 F Date and time begun
 G Items allowed-Personal legal materials are permitted upon request except with appropriate documented clinical justification. Suicide blankets may not be withheld without clearly documented clinical justification
 3 Visual checks must be recorded on the checklist every 15 minutes (30 minutes for outpatient mental health observation). Each staff member must write his/her name and initials at the bottom of the form. Visual checks are documented by entering both the code numbers(s) which best describes the patient's behavior and the observer's initials in the block beside the appropriate time
 4 Completed forms are forwarded to the Medical Records Department to be filed in the health record

D2/51

TEXAS DEPARTMENT OF CRIMINAL JUSTICE - MENTAL HEALTH OBSERVATION CHECKLIST

NAME: TAYLOR, TRENT M TDCJ# 1691384 UNIT: MONTFORD PSYCHIATRIC (JM) DATE: 9/12/2013
 12:00AM

CHECK THE APPROPRIATE TYPE

CRISIS MANAGEMENT MENTAL HEALTH OBSERVATION SECLUSION RESTRAINT

ITEMS ALLOWED (Check appropriate box(es))

CLOTHING UNDERGARMENTS ONLY SUICIDE BLANKET MATTRESS REGULAR TRAY PAPER TRAY
 SACK LUNCH

CODE EXPLANATION		TIME OF VISUAL CHECK		
CODE	EXPLANATION	CODE/INITIALS	CODE/INITIALS	CODE/INITIALS
1	Beating on door/wall			
2	Yelling, screaming	0000	0800	1600
3	Crying	0015	0815	1615
4	Laughing	0030	0830	1630
5	Singing	0045	0845	1645
6	Mumbling	0100	0900	1700
7	Talking to self	0115	0915	1715
8	Talking to others	0130	0930	1730
9	Standing still	0145	0945	1745
10	Walking	0200	1000	1800
11	Sitting or lying	0215	1015	1815
12	Quiet	0230	1030	1830
13	Sleeping	0245	1045	1845
14	Meals/fluids	0300	1100	1900
15	Bath/shower	0315	1115	1915
16	Toilet	0330	1130	1930
17	Restraints loosened	0345	1145	1845
18	Range of motion	0400	1200	2000
19	Out-of-cell	0415	1215	2015
20	Nursing Rounds	0430	1230	2030
21		0445	1245	2045
		0500	1300	2100
		0515	1315	2115
		0530	1330	2130
		0545	1345	2145
		0600	1400	2200
		0615	1415	2215
		0630	1430	2230
		0645	1445	2245
		0700	1500	2300
		0715	1515	2315
		0730	1530	2330
		0745	1545	2345

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EXC Taylor - 526

Scanned by SANDICK, KIM N. in facility MONTFORD PSYCHIATRIC (JM) on 09/10/2013 10:46

an entry must be made in the health record that includes the following information

- A Reason and authority
- B Duration of order
 - 1 Inpatient Crisis Management-not to exceed 3 working days
 - 2 Outpatient mental health observation-not to exceed 72 hours
 - 3 Seclusion not to exceed 12 hours
 - 4 Restraint not to exceed 12 hours
- C Information given to the patient regarding reason for placement, duration of order and behavior required for release
- D Items allowed in room

- 2 The top half of the form must be completed by a psychiatrist/psychiatric mid level practitioner, nurse or mental health professional and includes
 - A Patient name
 - B TDCJ number
 - C Name of facility
 - D Current date
 - E Type of observation (crisis management, mental health observation, seclusion, restraint)
 - F Date and time begun
 - G Items allowed Personal legal materials are permitted upon request except with appropriate documented clinical justification. Suicide blankets may not be withheld without clearly documented clinical justification
- 3 Visual checks must be recorded on the checklist every 15 minutes (30 minutes for outpatient mental health observation). Each staff member must write his/her name and initials at the bottom of the form. Visual checks are documented by entering both the code number(s) which best describes the patient's behavior and the observer's initials in the blank beside the appropriate time
- 4 Completed forms are forwarded to the Medical Records Department to be filed in the health record

TEXAS DEPARTMENT OF CRIMINAL JUSTICE - MENTAL HEALTH OBSERVATION CHECKLIST

b2/45

NAME TAYLOR, TRENT M TDCJ# 1691384 UNIT MONTFORD PSYCHIATRIC (JM) DATE 9/9/2013
12 00AM

CHECK THE APPROPRIATE TYPE

OML

CRISIS MANAGEMENT MENTAL HEALTH OBSERVATION SECLUSION RESTRAINT

ITEMS ALLOWED (Check appropriate box(es))

CLOTHING UNDERGARMENTS ONLY SUICIDE BLANKET MATTRESS REGULAR TRAY PAPER TRAY
 SACK LUNCH

CODE EXPLANATION		TIME OF VISUAL CHECK		
1	Beating on door/wall	CODE/INITIALS	CODE/INITIALS	CODE/INITIALS
2	Yelling screaming	0000 <u>11 45</u>	0800 <u>11 45</u>	1600 <u>19 45</u>
3	Crying	0015 <u>11 45</u>	0815 <u>11 45</u>	1615 <u>19 45</u>
4	Laughing	0030 <u>11 45</u>	0830 <u>11 45</u>	1630 <u>19 45</u>
5	Singing	0045 <u>11 45</u>	0845 <u>11 45</u>	1645 <u>19 45</u>
6	Mumbling	0100 <u>11 45</u>	0900 <u>11 45</u>	1700 <u>11 45</u>
7	Talking to self	0115 <u>11 45</u>	0915 <u>11 45</u>	1715 <u>11 45</u>
8	Talking to others	0130 <u>11 45</u>	0930 <u>11 45</u>	1730 <u>11 45</u>
9	Standing still	0145 <u>11 45</u>	0945 <u>11 45</u>	1745 <u>11 45</u>
10	Walking	0200 <u>11 45</u>	1000 <u>11 45</u>	1800 <u>11 45</u>
11	Sitting or lying	0215 <u>11 45</u>	1015 <u>11 45</u>	1815 <u>11 45</u>
12	Quel	0230 <u>11 45</u>	1030 <u>11 45</u>	1830 <u>11 45</u>
13	Sleeping	0245 <u>11 45</u>	1045 <u>11 45</u>	1845 <u>11 45</u>
14	Meals/fluids	0300 <u>11 45</u>	1100 <u>11 45</u>	1900 <u>11 45</u>
15	Bath/shower	0315 <u>11 45</u>	1115 <u>11 45</u>	1915 <u>11 45</u>
16	Toilet	0330 <u>11 45</u>	1130 <u>11 45</u>	1930 <u>11 45</u>
17	Restraints loosened	0345 <u>11 45</u>	1145 <u>11 45</u>	1945 <u>11 45</u>
18	Range of motion	0400 <u>11 45</u>	1200 <u>11 45</u>	2000 <u>11 45</u>
19	Out-of-cell	0415 <u>11 45</u>	1215 <u>11 45</u>	2015 <u>11 45</u>
20	Nursing Rounds	0430 <u>11 45</u>	1230 <u>11 45</u>	2030 <u>11 45</u>
21		0445 <u>11 45</u>	1245 <u>11 45</u>	2045 <u>11 45</u>
		0500 <u>11 45</u>	1300 <u>11 45</u>	2100 <u>11 45</u>
Printed Name	Initials	0515 <u>11 45</u>	1315 <u>11 45</u>	2115 <u>11 45</u>
<u>Neitman</u>	<u>SN</u>	0530 <u>11 45</u>	1330 <u>11 45</u>	2130 <u>11 45</u>
<u>Young</u>	<u>WY</u>	0545 <u>11 45</u>	1345 <u>11 45</u>	2145 <u>11 45</u>
<u>Reyna</u>	<u>MR</u>	0600 <u>11 45</u>	1400 <u>11 45</u>	2200 <u>11 45</u>
		0615 <u>11 45</u>	1415 <u>11 45</u>	2215 <u>11 45</u>
		0630 <u>11 45</u>	1430 <u>11 45</u>	2230 <u>11 45</u>
		0645 <u>11 45</u>	1445 <u>11 45</u>	2245 <u>11 45</u>
		0700 <u>11 45</u>	1500 <u>11 45</u>	2300 <u>11 45</u>
		0715 <u>11 45</u>	1515 <u>11 45</u>	2315 <u>11 45</u>
		0730 <u>11 45</u>	1530 <u>11 45</u>	2330 <u>11 45</u>
		0745 <u>11 45</u>	1545 <u>11 45</u>	2345 <u>11 45</u>

HSP-5 (Rev 4/02)

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Ex.C Taylor - 528

Scanned by SANDICK, KIM N in facility MONTFORD PSYCHIATRIC (JM) on 09/10/2013 10:58
 At the time the patient is placed in crisis management mental health observation seclusion or restraint an entry must be made in the health record that includes the following information

- A Reason and authority
- B Duration of order
 - 1 Inpatient Crisis Management-not to exceed 3 working days
 - 2 Outpatient mental health observation-not to exceed 72 hours
 - 3 Sedation-not to exceed 12 hours
 - 4 Restraint-not to exceed 12 hours
- C Information given to the patient regarding reason for placement duration of order and behavior required for release
- D Items allowed in room
- 2 The top half of the form must be completed by a psychiatrist/psychiatric mid level practitioner nurse or mental health professional and includes
 - A Patient name
 - B TDCJ number
 - C Name of facility
 - D Current date
 - E Type of observation (crisis management mental health observation seclusion restraint)
 - F Date and time begun
 - G Items allowed Personal legal materials are permitted upon request except with appropriate documented clinical justification Suicide blankets may not be withheld without clearly documented clinical justification
- 3 Visual checks must be recorded on the checklist every 15 minutes (30 minutes for outpatient mental health observation) Each staff member must write his/her name and initials at the bottom of the form Visual checks are documented by entering both the code number(s) which best describes the patient's behavior and the observer's initials in the blank beside the appropriate time
- 4 Completed forms are forwarded to the Medical Records Department to be filed in the health record

TEXAS DEPARTMENT OF CRIMINAL JUSTICE - MENTAL HEALTH OBSERVATION CHECKLIST

B2/45

NAME TAYLOR, TRENT M TDCJ# 1691384 UNIT MONTFORD PSYCHIATRIC (JM) DATE 9/8/2013
 12 00AM

CHECK THE APPROPRIATE TYPE

QML

CRISIS MANAGEMENT MENTAL HEALTH OBSERVATION SECLUSION RESTRAINT

ITEMS ALLOWED (Check appropriate box(es))

CLOTHING UNDERGARMENTS ONLY SUICIDE BLANKET MATTRESS REGULAR TRAY PAPER TRAY
 SACK LUNCH

CODE EXPLANATION		TIME OF VISUAL CHECK		
1	Beating on door/wall	CODE/INITIALS	CODE/INITIALS	CODE/INITIALS
2	Yelling screaming	0000 // <i>LP</i>	0800 // <i>M</i>	1600 // <i>M</i>
3	Crying	0015 // <i>LP</i>	0815 // <i>M</i>	1615 // <i>M</i>
4	Laughing	0030 // <i>LP</i>	0830 // <i>M</i>	1630 // <i>M</i>
5	Singing	0045 // <i>LP</i>	0845 // <i>M</i>	1645 // <i>C</i>
6	Mumbling	0100 // <i>LP</i>	0900 // <i>M</i>	1700 // <i>C</i>
7	Talking to self	0115 // <i>LP</i>	0915 // <i>M</i>	1715 // <i>C</i>
8	Talking to others	0130 // <i>LP</i>	0930 // <i>M</i>	1730 // <i>C</i>
9	Standing still	0145 // <i>M</i>	0945 // <i>M</i>	1745 // <i>C</i>
10	Walking	0200 // <i>M</i>	1000 // <i>M</i>	1800 // <i>C</i>
11	Sitting or lying	0215 // <i>M</i>	1015 // <i>M</i>	1815 // <i>C</i>
12	Quiet	0230 // <i>M</i>	1030 // <i>M</i>	1830 // <i>C</i>
13	Sleeping	0245 // <i>M</i>	1045 // <i>M</i>	1845 // <i>C</i>
14	Meals/fluids	0300 // <i>LP</i>	1100 // <i>M</i>	1900 // <i>C</i>
15	Bath/shower	0315 // <i>M</i>	1115 // <i>M</i>	1915 // <i>C</i>
16	Toilet	0330 // <i>M</i>	1130 // <i>M</i>	1930 // <i>C</i>
17	Restraints loosened	0345 // <i>M</i>	1145 // <i>M</i>	1945 // <i>C</i>
18	Range of motion	0400 // <i>M</i>	1200 // <i>M</i>	2000 // <i>C</i>
19	Out-of-cell	0415 // <i>M</i>	1215 // <i>M</i>	2015 // <i>C</i>
20	Nursing Rounds	0430 // <i>M</i>	1230 // <i>M</i>	2030 // <i>C</i>
21		0445 // <i>M</i>	1245 // <i>M</i>	2045 // <i>C</i>
		0500 // <i>M</i>	1300 // <i>M</i>	2100 // <i>C</i>
Printed Name	Initials	0515 // <i>M</i>	1315 // <i>M</i>	2115 // <i>C</i>
<i>SSC</i>	<i>mt</i>	0530 // <i>M</i>	1330 // <i>M</i>	2130 // <i>C</i>
		0545 // <i>M</i>	1345 // <i>M</i>	2145 // <i>C</i>
		0600 // <i>M</i>	1400 // <i>M</i>	2200 // <i>C</i>
		0615 // <i>M</i>	1415 // <i>M</i>	2215 // <i>C</i>
		0630 // <i>M</i>	1430 // <i>M</i>	2230 // <i>C</i>
		0645 // <i>M</i>	1445 // <i>M</i>	2245 // <i>C</i>
		0700 // <i>M</i>	1500 // <i>M</i>	2300 // <i>C</i>
		0715 // <i>M</i>	1515 // <i>M</i>	2315 // <i>C</i>
		0730 // <i>M</i>	1530 // <i>M</i>	2330 // <i>C</i>
		0745 // <i>M</i>	1545 // <i>M</i>	2345 // <i>C</i>

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Ex.C Taylor - 529

Scanned by SANDWICK, KIM N. in facility MONTFORD PSYCHIATRIC (JM) on 09/10/2013 10:58

1. At the time the patient is placed in crisis management, mental health observation, seclusion or restraint, an entry must be made in the health record that includes the following information

- Reason and authority
- Duration of order
 - Inpatient Crisis Management-not to exceed 3 working days
 - Outpatient mental health observation-not to exceed 72 hours
 - Seclusion not to exceed 12 hours
 - Restraint-not to exceed 12 hours
- Information given to the patient regarding reason for placement, duration of order and behavior required for release
- Items allowed in room

2. The top half of the form must be completed by a psychiatrist/psychiatric mid level practitioner, nurse or mental health professional and includes

- Patient name
- TDCJ number
- Name of facility
- Current date
- Type of observation (crisis management, mental health observation, seclusion, restraint)
- Date and time begun
- Items allowed Personal legal materials are permitted upon request except with appropriate documented clinical justification. Suicide blankets may not be withheld without clearly documented clinical justification

3. Visual checks must be recorded on the checklist every 15 minutes (30 minutes for outpatient mental health observation). Each staff member must write his/her name and initials at the bottom of the form. Visual checks are documented by entering both the code numbers(s) which best describes the patient's behavior and the observer's initials in the blank beside the appropriate time

4. Completed forms are forwarded to the Medical Records Department to be filed in the health record

TEXAS DEPARTMENT OF CRIMINAL JUSTICE - MENTAL HEALTH OBSERVATION CHECKLIST

NAME TAYLOR, TRENT M TDCJ# 1691384 UNIT MONTFORD PSYCHIATRIC (JM) DATE 9/7/2013
1200AM

CHECK THE APPROPRIATE TYPE

CRISIS MANAGEMENT MENTAL HEALTH OBSERVATION SECLUSION RESTRAINT

ITEMS ALLOWED (Check appropriate box(es))

CLOTHING UNDERGARMENTS ONLY SUICIDE BLANKET MATTRESS REGULAR TRAY PAPER TRAY
 SACK LUNCH

CODE EXPLANATION		TIME OF VISUAL CHECK		
CODE	EXPLANATION	CODE/INITIALS	CODE/INITIALS	CODE/INITIALS
1	Beating on door/wall	0000	11 3E	0800 11 13 2m
2	Yelling screaming	0015	11 CP	0815 11 13 2m
3	Crying	0030	11 CP	0830 11 13 2m
4	Laughing	0045	11 CP	0845 11 13 2m
5	Singing	0100	11 CP	0900 11 13 2m
6	Mumbling	0115	11 CP	0915 11 13 2m
7	Talking to self	0130	11 CP	0930 11 13 2m
8	Talking to others	0145	11 CP	0945 11 13 2m
9	Standing still	0200	11 CP	1000 11 13 2m
10	Walking	0215	11 CP	1015 11 13 2m
11	Sitting or lying	0230	11 CP	1030 11 13 2m
12	Quiet	0245	11 CP	1045 11 13 2m
13	Sleeping	0300	11 CP	1100 11 12 2m
14	Meals/fluids	0315	11 CP	1115 11 12 2m
15	Bath/shower	0330	11 CP	1130 11 12 2m
16	Toilet	0345	11 CP	1145 11 12 2m
17	Restraints loosened	0400	11 CP	1200 11 12 2m
18	Range of motion	0415	11 CP	1215 11 12 2m
19	Out-of-cell	0430	11 CP	1230 11 12 2m
20	Nursing Rounds	0445	11 CP	1245 11 12 2m
21		0500	11 CP	1300 11 12 2m
		0515	11 SE	1315 11 12 2m
		0530	11 SE	1330 11 12 2m
		0545	11 SE	1345 11 12 2m
		0600	11 13 2m	1400 11 12 2m
		0615	11 13 2m	1415 11 12 2m
		0630	11 S	1430 11 12 2m
		0645	11 S	1445 11 12 2m
		0700	11 13 2m	1500 11 12 2m
		0715	11 13 2m	1515 11 12 2m
		0730	11 13 2m	1530 11 12 2m
		0745	11 13 2m	1545 11 12 2m

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Ex.C Taylor - 530

Scanned by SANDVICK, KIM N. in facility MONTFORD PSYCHIATRIC (JM) on 09/10/2013 11:07. restraint an entry must be made in the health record that includes the following information

A Reason and authority
 B Duration of order
 1 Inpatient Crisis Management-not to exceed 3 working days
 2 Outpatient mental health observation not to exceed 72 hours
 3 Seclusion not to exceed 12 hours
 4 Restraint not to exceed 12 hours
 C Information given to the patient regarding reason for placement, duration of order and behavior required for release
 D Items allowed in room
 2 The top half of the form must be completed by a psychiatrist/psychiatric mid-level practitioner, nurse or mental health professional and includes
 A Patient name
 B TDCJ number
 C Name of facility
 D Current date
 E Type of observation: (crisis management, mental health observation, seclusion, restraint)
 F Date and time begun
 G Items allowed Personal legal materials are permitted upon request except with appropriate documented clinical justification. Suicide blankets may not be withheld without clearly documented clinical justification
 3 Visual checks must be recorded on the checklist every 15 minutes (30 minutes for outpatient mental health observation). Each staff member must write his/her name and initials at the bottom of the form. Visual checks are documented by entering both the code numbers(s) which best describes the patient's behavior and the observer's initials in the blank beside the appropriate time
 4 Completed forms are forwarded to the Medical Records Department to be filed in the health record

TEXAS DEPARTMENT OF CRIMINAL JUSTICE - MENTAL HEALTH OBSERVATION CHECKLIST

NAME TAYLOR, TRENT M TDCJ# 1691384 UNIT MONTFORD PSYCHIATRIC (JM) DATE 9/6/2013

06 41PM

CHECK THE APPROPRIATE TYPE

OMC CRISIS MANAGEMENT MENTAL HEALTH OBSERVATION SECLUSION RESTRAINT

ITEMS ALLOWED (Check appropriate box(es))

CLOTHING UNDERGARMENTS ONLY SUICIDE BLANKET MATTRESS REGULAR TRAY PAPER TRAY
 SACK LUNCH

CODE EXPLANATION		TIME OF VISUAL CHECK		
1	Beating on door/wall	CODE/INITIALS	CODE/INITIALS	CODE/INITIALS
2	Yelling screaming	0000	0800	1600
3	Crying	0015	0815	1615
4	Laughing	0030	0830	1630
5	Singing	0045	0845	1645
6	Mumbling	0100	0900	1700
7	Talking to self	0115	0915	1715
8	Talking to others	0130	0930	1730
9	Standing still	0145	0945	1745
10	Walking	0200	1000	1800
11	Sitting or lying	0215	1015	1815
12	Quiet	0230	1030	1830
13	Sleeping	0245	1045	1845
14	Meals/liquids	0300	1100	1900
15	Bath/shower	0315	1115	1915
16	Toilet	0330	1130	1930
17	Restraints loosened	0345	1145	1945
18	Range of motion	0400	1200	2000
19	Out-of-cell	0415	1215	2015
20	Nursing Rounds	0430	1230	2030
21		0445	1245	2045
		0500	1300	2100
Printed Name	Initials	0515	1315	2115
		0530	1330	2130
		0545	1345	2145
		0600	1400	2200
		0615	1415	2215
		0630	1430	2230
		0645	1445	2245
		0700	1500	2300
		0715	1515	2315
		0730	1530	2330
		0745	1545	2345

10 11 12

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#

Ex.C Taylor - 531

**CORRECTIONAL MANAGED CARE
NURSING CHART REVIEW / VERBAL ORDER NOTE**

Patient Name: TAYLOR, TRENT M **TDCJ#:** 1691384 **Date:** 09/12/2013 21:59 **Facility:** MONTFORD (JM)
Age: 25 year **Race:** W **Sex:** male
Most recent vitals from 9/6/2013: BP: 142 / 80 (Sitting) ; Wt: 145 Lbs.; Height: 69 In.; Pulse: 58 (Sitting) ; Resp: 20 / min;
Temp: 97 (Oral) BMI: 21
Allergies: LIDOCAINE HCL

Patient Language: ENGLISH **Name of interpreter, if required:**

Current Medications:

Problem: Per Nurse Henderson, LVN the O/P had been banging loudly on his metal door for approximately one hour, then asked for medical to come to his cell side. Nurse Henderson took his vital signs @ approximately 2102 hrs which were: 97.0, 96, 20, 124/97, the O/P stated that he had pain radiating to his left arm of 5/10 scale. Nurse Henderson stated that she gave him an Aspirin and Ala-Mag x2 tablets. The O/P denied nausea, vomiting, and diaphoresis and further denied having stress. At 2141 Hours, the O/P stated that he did not have any chest pain at all. Note: This Nurse advised Nurse Henderson to bring the O/P down to the Infirmary on the initial call at 2106 hrs, security not able to transfer, later the O/P had no more pain.

Plan: Pod Nurse to continue to monitor for intervention measures.

Electronically Signed by LUJAN, TOMMY E. R.N. on 09/12/2013.
##And No Others##

**CORRECTIONAL MANAGED CARE
CLINIC NOTES - NURSING**

Patient Name: TAYLOR, TRENT M **TDCJ#:** 1691384 **Date:** 10/14/2013 21:34 **Facility:** MONTFORD (JM)

Age: 26 year **Race:** W **Sex:** male

Most recent vitals from 10/14/2013: BP: 136 / 80 (Sitting) ; Wt: ; Height: 69 In.; Pulse: 50 (Sitting) ; Resp: 20 / min; Temp: 98 (Oral) BMI:

Allergies: LIDOCAINE HCL

Patient Language: ENGLISH **Name of interpreter, if required:**

Current Medications:

SCR INITIATED?		YES	Date Received:
	<input checked="" type="checkbox"/>	NO	

x	Vital signs within normal limits
	Provider notified – vital signs outside of normal parameters as follows:
	Blood pressure less than 90/60 or greater than 180/110
	Pulse less than 50/min or greater than 110/min
	Temperature greater than 101°F (oral)
	Respirations greater than 22/min

Today's Problem: offender states was hit in groin with bean bar by an officer.

S: c/o pain to R testicle rating pain a 5/10. States he feels a knot in R testicle.

O: No swelling or bruising noted.

Unable to feel knot with palpation. Grimaces with palpation of testicles. No apparent injury visualized.

Plan is as follows: Called and spoke with Dr. Aristimuno. Orders received.

1. Ice pack to groin x 24 hours prn.
- 2.

Started Meds:

IBUPROFEN 600MG TABLET 16347096 10/14/2013 21:15
1 TABS ORAL TID PRN
FINAL EXP. DATE: 10/17/2013 09:15:00PM REFILLS: 0 DURATION: 3 Days
CONFIRMED VERBAL ORDER

Follow up PRN

RBTO: Dr. Aristimuno/ SCarpenter, RN

1 of 2

Excl Taylor - 532

**CORRECTIONAL MANAGED CARE
CLINIC NOTES - NURSING**

Patient Name: TAYLOR, TRENT M **TDCJ#:** 1691384 **Date:** 10/14/2013 21:34 **Facility:** MONTFORD (JM)

Procedures Ordered:

Date Time	Description	Diagnosis	Comments	Special Instructions
10/14/2013 09:42	#NURSING LEVEL 1 COMPLETE VISIT (F)	perineal pain		

Electronically Signed by CARPENTER, SHAUNA B. R.N. on 10/14/2013.

Electronically Signed by ARISTIMUNO, PATRICIA C. M.D. on 10/15/2013.

##And No Others##

CERTIFICATION

I TRENT TAYLOR TDCJ NO.01691384 CERTIFY AND AFFIRM ON THE DATE LISTED BELOW THAT I SENT ONE ORIGINAL COPY TO THE CLERK OF TH COURT AT 1205 TEXAS AVENE LUBBOCK TEXAS ROOM 209,AND ONE CARBON COPY TO THE ATTORNEY GENERAL AT P.O.BOX 12548 CAPITOL STATION ,AUSTIN TX, 78711, ALL POSTAGE SENT PRE-PAID FIRST CLASS DULY DEPOSITED IN THE PRISON MAIL BOX SYTEM.

OCTOBER 28, 2016





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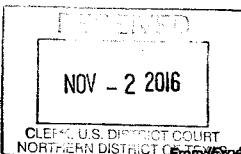
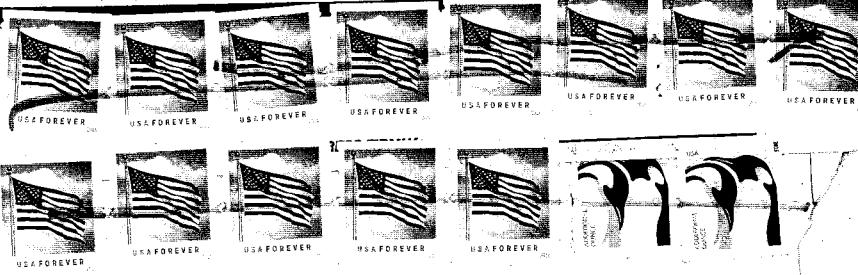
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